

HOUSE OF REPRESENTATIVES—Friday, January 27, 1995

The House met at 10 a.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are thankful, gracious God, for people who work for justice and who long for the truth, and who receive happiness and satisfaction from helping others in their need. In spite of the trials of the day, in spite of the expectation of so many, in spite of our limitations and mistakes, we know that we achieve our true humanity when we strive to be what You would have us be and rise to the responsibilities we have been given. And may Your peace that passes all human understanding be with us now and evermore. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announced to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. VOLKMER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. VOLKMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Let the Chair note in advance that the Chair will, after the vote, limit the number of 1-minutes.

The vote was taken by electronic device, and there were—yeas 310, nays 90, not voting 34, as follows:

[Roll No. 52]

YEAS—310

Allard	Barton	Blute
Andrews	Bass	Boehlert
Archer	Bateman	Boehner
Armey	Bellenson	Bonilla
Bachus	Bentsen	Bono
Baker (LA)	Bereuter	Borski
Barr	Berman	Boucher
Barrett (NE)	Bevill	Brewster
Barrett (WI)	Bilbray	Brown (OH)
Bartlett	Billakis	Brownback

Bryant (TN)	Gunderson	Metcalf
Bryant (TX)	Gutknecht	Meyers
Bunn	Hall (TX)	Mica
Bunning	Hamilton	Miller (FL)
Burr	Hancock	Minge
Burton	Hansen	Mink
Buyer	Hastert	Moakley
Callahan	Hastings (WA)	Molinar
Calvert	Hayes	Montgomery
Camp	Hayworth	Moorhead
Canady	Hefner	Moran
Cardin	Heineman	Morella
Castle	Herger	Murtha
Chabot	Hilleary	Myers
Chambliss	Hobson	Myrick
Chenoweth	Hoekstra	Nadler
Christensen	Hoke	Neumann
Chrysler	Holden	Ney
Clayton	Horn	Norwood
Clement	Hostettler	Nussle
Clinger	Houghton	Obey
Coble	Hoyer	Oliver
Coburn	Hunter	Orton
Collins (GA)	Hutchinson	Oxley
Combest	Hyde	Packard
Condit	Inglis	Parker
Conyers	Istook	Paxon
Cooley	Jackson-Lee	Payne (VA)
Costello	Johnson (CT)	Peterson (MN)
Cox	Johnson (SD)	Petri
Coyne	Johnson, E.B.	Porter
Cremeans	Johnson, Sam	Portman
Cubin	Johnston	Poshard
Cunningham	Jones	Pryce
Danner	Kanjorski	Quillen
Davis	Kaptur	Quinn
Deal	Kelly	Ramstad
Diaz-Balart	Kennelly	Rangel
Dickey	Kildee	Regula
Dixon	Kim	Riggs
Doggett	King	Rivers
Dooley	Kingston	Roberts
Dornan	Kleczka	Rogers
Dreier	Klink	Rohrabacher
Duncan	Klug	Ros-Lehtinen
Dunn	Knollenberg	Roth
Durbin	Kolbe	Roukema
Edwards	LaHood	Roybal-Allard
Ehlers	Largent	Royce
Emerson	Latham	Salmon
English	LaTourette	Sanders
Ensign	Laughlin	Sanford
Eshoo	Lazio	Sawyer
Everett	Leach	Saxton
Ewing	Levin	Scarborough
Fattah	Lewis (CA)	Schaefer
Fawell	Lewis (KY)	Schiff
Fields (TX)	Lightfoot	Schumer
Flanagan	Linder	Seastrand
Foglietta	Lipinski	Sensenbrenner
Forbes	Livingston	Shadegg
Ford	LoBiondo	Shaw
Fowler	Lofgren	Shays
Fox	Longley	Shuster
Franks (CT)	Lowe	Sisisky
Franks (NJ)	Lucas	Skeen
Frelinghuysen	Luther	Skelton
Frist	Manzullo	Smith (MI)
Frost	Markey	Smith (NJ)
Funderburk	Martini	Smith (TX)
Galleghy	Mascara	Smith (WA)
Ganske	Matsui	Solomon
Gekas	McCarthy	Souder
Geren	McCollum	Spence
Gibbons	McCrery	Spratt
Gilchrest	McDade	Stark
Gillmor	McDermott	Stearns
Gillman	McHale	Stenholm
Gonzalez	McHugh	Stokes
Goodlatte	McInnis	Studds
Goodling	McIntosh	Stump
Gordon	McKeon	Stupak
Goss	McNulty	Talent
Graham	Meehan	Tanner

Tate	Vucanovich
Tauzin	Waldholtz
Tejeda	Walker
Thomas	Wamp
Thornberry	Ward
Thurman	Watt (NC)
Tiahrt	Watts (OK)
Torkildsen	Waxman
Torricelli	Weldon (PA)
Upton	Weller

White
Whitfield
Wicker
Wilson
Wyden
Young (FL)
Zeliff
Zimmer

NAYS—90

Abercrombie	Green	Payne (NJ)
Ackerman	Gutierrez	Pelosi
Baessler	Hall (OH)	Peterson (FL)
Baldacci	Harman	Pickett
Ballenger	Hastings (FL)	Pomeroy
Barcia	Hefley	Rahall
Becerra	Hilliard	Reed
Boniior	Hinchey	Reynolds
Browder	Jacobs	Roemer
Brown (FL)	Jefferson	Sabo
Clay	Kennedy (MA)	Schroeder
Clyburn	LaFalce	Scott
Coleman	Lantos	Serrano
Collins (IL)	Lewis (GA)	Skaggs
Collins (MI)	Lincoln	Taylor (MS)
Cramer	Maloney	Taylor (NC)
Crane	Manton	Thompson
DeFazio	Martinez	Thornton
DeLauro	McKinney	Torres
Dellums	Meek	Trafigant
Deutsch	Menendez	Velazquez
Dicks	Mfume	Vento
Dingell	Mineta	Visclosky
Engel	Mollohan	Volkmer
Farr	Neal	Waters
Fazio	Oberstar	Wise
Filner	Ortiz	Wolf
Furse	Owens	Woolsey
Gejdenson	Pallone	Wynn
Gephardt	Pastor	Yates

NOT VOTING—34

Baker (CA)	Fields (LA)	Rose
Bishop	Flake	Rush
Bliley	Foley	Slaughter
Brown (CA)	Frank (MA)	Stockman
Chapman	Greenwood	Towns
Crapo	Kasich	Tucker
de la Garza	Kennedy (RI)	Walsh
DeLay	Miller (CA)	Weldon (FL)
Doolittle	Nethercutt	Williams
Doyle	Pombo	Young (AK)
Ehrlich	Radanovich	
Evans	Richardson	

□ 1021

Ms. DANNER changed her vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1022

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. SHUSTER). Will the gentleman from Arizona [Mr. HAYWORTH] please come forward and lead the House in the Pledge of Allegiance.

Mr. HAYWORTH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ELECTION OF MEMBER TO COMMITTEE ON INTERNATIONAL RELATIONS

Mr. FAZIO. Mr. Speaker, I offer a privileged resolution (H. Res. 46) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 46

Resolved, That the following Member be elected to the following committee: Committee on International Relations: Mr. Frazer, Virgin Islands.

The resolution was agreed to.

A resolution to reconsider was laid on the table.

PROVIDING FOR APPOINTMENT AND COMPENSATION OF CONGRESSIONAL CONSULTANTS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 273) to amend section 61h-6 of title 2, United States Code, and asked for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. FAZIO. Mr. Speaker, reserving the right to object, will the gentleman from California kindly explain the purpose of the resolution?

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. FAZIO. I am happy to yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

This bill is really a very technical bill. It makes technical changes in a provision of title 2 to the United States Code which applied only to the U.S. Senate, and it deals with the appointment procedures between the majority leader and the minority leader.

This language creates some conformity that is not now there and changes the procedure with the Senate President pro tempore in reference to two appointments that the President pro tempore of the Senate makes.

Basically, it is a matter of courtesy that we simply go ahead and approve this, and I would ask the House to accede to the Senate's wishes in changing a provision that affects only the Senate.

Mr. FAZIO. Mr. Speaker, I would like to thank the gentleman from California for his description.

Mr. Speaker, in keeping with the comity between the bodies, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 273

Be it enacted by the Senate and House of Representatives of the United States of America in

Congress assembled, That section 61h-6 of title 2; The Congress, Chapter 4—Officers and Employees of Senate and House of Representatives; United States Code, is amended to read as follows:

"§61h-6. Appointment of consultants by Majority Leader, Minority Leader, Secretary of the Senate, and Legislative Counsel of the Senate; compensation

"(a) The Majority Leader and the Minority Leader, are each authorized to appoint and fix the compensation of not more than four individual consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate. The Secretary of the Senate is authorized to appoint and fix the compensation of not more than two individual consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate. The Legislative Counsel of the Senate (subject to the approval of the President Pro Tempore) is authorized to appoint and fix the compensation of not more than two consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of that specified in the first sentence of this section. The provisions of section 8344 of title 5 shall not apply to any individual serving in a position under this authority. Expenditures under this authority shall be paid from the contingent fund of the Senate upon vouchers approved by the President Pro Tempore, Majority Leader, Minority Leader, Secretary of the Senate, or Legislative Counsel of the Senate, as the case may be.

"(b) The Majority Leader, and the Minority Leader, in appointing individuals to consultant positions under authority of this section, may appoint one such individual to such position at an annual rate of compensation rather than at a daily rate of compensation, but such annual rate shall not be in excess of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate."

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 1-minute speeches on either side.

REPUBLICAN CONTRACT WITH AMERICA

(Mr. WATTS of Oklahoma asked and was given permission to address the House for 1 minute.)

Mr. WATTS of Oklahoma. Mr. Speaker, our Contract With America states, on the first day of Congress, a Republican House will: Force Congress to live under the same laws as everyone else; cut one-third of committee staff; and cut the congressional budget. We have done that.

It goes on to state that in the first 100 days, we will vote on the following items:

A balanced budget amendment—we have done this; line-item veto; a new crime bill to stop violent criminals; welfare reform to encourage work, not dependence; family reinforcement to crack down on deadbeat dads and protect our children; tax cuts for families to lift Government's burden from middle-income Americans; national security restoration to protect our freedoms; Senior Citizens' Equity Act to allow our seniors to work without Government penalty; Government regulation and unfunded mandate reforms; commonsense legal reform to end frivolous lawsuits; and congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

TRIBUTE TO ED J. DEBARTOLO, JR., AND THE SAN FRANCISCO 49ERS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I rise today for an unusual 1 minute for me, to pay tribute to the owner of the San Francisco 49ers, Edward J. DeBartolo, Jr., my constituent.

I predict the 49ers will win. The Chargers are great, but the reason I predict the 49ers to win is the standard of excellence of the 49ers from top to bottom.

The reason for that excellence, ladies and gentlemen, was a humble construction worker from Youngstown, OH, by the name of Edward J. DeBartolo, Sr., who became the No. 1 developer of shopping malls in America. He started work at 6 o'clock in the morning. He has recently passed away, but he passed on that work ethic to his son.

I predict from top to bottom owner Eddie DeBartolo, Jr., Carmon Poucy, another one of my constituents, and Coach George Seifert and the great 49ers will win because of that work ethic.

Mr. Speaker, I pay tribute today to Mr. DeBartolo, Sr. Mr. DeBartolo, Sr., was a big supporter of H.R. 390: Innocent Until Proven Guilty.

The 49er standard of excellence will prevail.

REPUBLICANS MAKING PROGRESS ON THEIR CONTRACT WITH AMERICA

(Mr. GINGRICH asked and was given permission to address the House for 1 minute.)

Mr. GINGRICH. Mr. Speaker, as the gentleman from Oklahoma [Mr. WATTS] pointed out, we do have a Contract With America. We are working very hard.

I want to say it was a bipartisan contract in the last few weeks. The line-item veto came out of the Committee

on Government Reform and Oversight with a 30-to-11 bipartisan margin.

The Shays Act to apply to Congress every law which applies to the rest of the country passed with a huge bipartisan margin.

The victory last night for the constitutional amendment to require a balanced budget was a bipartisan victory.

I want to thank all of the reform Democrats who are joining us again and again in doing good bipartisan things. We do have a contract. We are going to keep it.

A friend of mine gave me this this morning earlier and said, "Why don't you punch in this contract that you always carry, why don't you take out the very first one." I want to punch a hole to indicate one is down. We will be back for nine more.

GIFT BAN

(Mr. WISE asked was given permission to address the House for 1 minute.)

Mr. WISE. Mr. Speaker, while we are on the subject of reform Democrats, from fruit baskets to first-class flights, it is time to give it up. It is time to pass the gift ban for lobbyists.

In his State of the Union message, the President encouraged Congress to voluntarily abandon lobbyist gifts and trips. He is right.

□ 1030

We do not need a law to do what each of us can do individually. Today, I am implementing in our Charleston, Martinsburg, and Washington offices all the provisions of the reform law that still have not passed. That means no lobbyist-provided meals, no lobbyist trips, and no lobbyist trips.

Food, like fruit baskets, will either be declined or given to charity. Happily there will not be much change for our office. I believe we have received three cans of popcorn and one birthday cake in the last few months.

Mr. Speaker, as I do this in my office, so does Congress need to pass the lobby reform legislation that puts this into law. Twice last year I voted to make it law. Two weeks ago I voted to make it law.

As I have put this gift ban into effect and made it the law of the West Virginia Second Congressional District office, Mr. Speaker, now I ask you to help make it the law of the Nation.

WE WILL WORK TO KEEP OUR PROMISES

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I am glad the balanced budget amendment passed the House yesterday. We have demonstrated to the people that we

have heard their concerns, and the Republican controlled Congress will continue to work to keep our promises with them by enacting the rest of the Contract With America.

But I have to say I am disappointed that the Barton language, which provided a protection to the taxpayers by preventing tax increases without a three-fifths majority vote, did not pass. In fact, even though 97 percent of Republicans voted for this language, less than 20 percent of the Democrats voted for it. I guess it is hard for the Democrats to accept that the days of tax and tax and spend and spend are over.

I want to assure the hard working taxpayers in our country that the fight is not over. We will spend the next year building support for a tax limitation amendment and bring it back to the floor for a vote.

I am confident that with hard work, we will win. In the meantime, let us continue to pass the rest of the Contract With America.

URGING PASSAGE OF THE GIFT BAN

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, we need to take up the President's challenge and ban gifts of any kind from paid lobbyists, and we need to restrict the amount of royalty income that Members of Congress are permitted to receive to one-third of their annual salary. The Bryant bill would do just that. It is the toughest lobby reform and ethics legislation ever considered by Congress.

We must pass the Bryant bill, because it is not enough for each Member of Congress to simply pledge that we will not longer take gifts or accept royalties, we also need to enforce disclosure by lobbyists. The American people have a right to know what legislation these groups are attempting to influence and how much money they are spending in those efforts.

On January 4, the first day of the 104th Congress, House Democrats moved to impose tough gift restrictions and royalty limits. But that effort failed—not a single Republican voted for the gift ban.

It is time for Republicans to live up to their rhetoric on reform. Perks and privileges demean this institution and everyone who serves here. Let us pass the gift ban, now.

CELEBRATING THE PASSING OF THE BALANCED BUDGET AMENDMENT

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, today is a great day to celebrate the passing of

the balanced budget amendment. I want to give you two particular reasons that we should celebrate.

First of all is that we yesterday fixed the flaw in the Constitution that Thomas Jefferson talked about over 200 years ago in 1787. He said "There is one omission that I fear in this Constitution, and that is that we have not restricted the ability of the United States Government to borrow money."

Well, as we restricted it yesterday with a three-fifths requirement to raise the ceiling on the debt.

The second thing I want to particularly celebrate is that this passage of the balanced budget amendment is one more step; maybe it is a giant step, maybe it is a baby step, but my goodness, it is a step toward restoring confidence in the American people's ability to elect people that will actually do what they say they will do, and their ability to trust their elected representatives. By keeping our promises, we are restoring confidence in this institution and confidence in America.

MAJORITY URGED TO JOIN IN EFFORT TO CLEAN UP CONGRESS

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, why does the majority continue to resist a ban on gifts from lobbyists? We hear them telling the American people they are for openness in Government. They say they want to "shine some sunlight on this institution." Well, Mr. Speaker, I ask that some light be shed on this question: Why did the majority oppose us on the first day of the 104th Congress when we offered an amendment to ban gifts from lobbyists?

On Tuesday night, the President asked us not to wait for legislation. He asked us to start now by adopting individual office policies not to accept gifts from lobbyists. Mr. Speaker, I did that in 1993, as did many of my reform-minded colleagues.

Many more of us will heed the President's request. Mr. Speaker, I urge the majority to join in our effort to clean up Congress. Now is the time to prove to the American people that we stand for real reform.

A GREAT NIGHT FOR THE CAUSE OF LIBERTY

(Mr. JONES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONES. Mr. Speaker, last night was a great night for the cause of liberty.

Not only did we pass a balanced budget amendment to the Constitution, but we also proved to the American people that, working together

under Republican leadership, we can move this country forward, and we showed the American people that they were right to trust Republicans with the responsibility of leading this Nation.

But our work is just beginning. We still have a long way to go. We have to pass an unfunded-mandates bill, a crime bill, a line-item-veto bill, and the other items in the Contract With America.

Still, we are off to a great start. We have reformed Congress, and we have now taken the first step towards finally balancing the budget.

Some of my colleagues on the other side of the aisle said it could not be done. What is even more shocking is that some of them said it should not be done. But by passing the balanced budget amendment, we proved last night that things really are changing in Washington.

ENACT LOBBYING REFORM

(Mr. KLINK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLINK. Mr. Speaker, you know, the President was right when he addressed us on Tuesday night: Congress cannot be for sale. We cannot have the appearance that Members of Congress are for sale.

Imagine, if you would, if we keep going the direction we are, Members of Congress looking like race car drivers with various parts of our anatomy adorned with the corporate logos of those companies who come here to lobby; your sleeve could say IBM, the other sleeve could say AT&T, you could have a ballcap on that would say General Motors, or a tie that would flash Gannett.

This is the whole idea.

I could see the House, or Congress, in fact, could end up looking like Three Rivers Stadium with corporate banners hanging from the backs of the galleries.

We must first act voluntarily so that Members say Congress is not for sale, and they do not accept those gifts.

Next we must enact strong legislation. Last year the House voted on two separate occasions by margins of 3 to 1, yet on January 4, the first day of this Congress, it was the Democrats that moved to impose the tough gift restrictions and royalty limits, but not one single member of the opposition party would join us in that, and I know there are Members over there, if they give it a second thought, would be much stronger.

THE BURDEN OF UNFUNDED MANDATES

(Mr. MARTINI asked and was given permission to address the House for 1 minute.)

Mr. MARTINI. Mr. Speaker, most of us know how difficult it is to be a local official. Let us not make it any tougher. The burden of unfunded mandates had not gone away since last week.

Local governments are still toiling under their yoke losing money in paperwork complying with one-size-fits-all regulations from Congress.

I ask the opponents of this bill, how many times do you need to hear the following before you understand: There is nothing in this bill that prevents us from passing an unfunded mandate if we deem it in the national interest.

The difference this legislation will make is that from now on, we will be fully aware of what we are mandating. Before this legislation, all we knew was the good we wanted to do. After we pass this bill, we will also know what it costs to do the good. The latter is just as important as the former.

HELP US PASS LOBBYING REFORM

(Ms. FURSE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FURSE. Mr. Speaker, before I came to Congress, I was a community organizer, I was a farmer, and, you know, nobody gave me any gifts to encourage me to do my job.

I do not see why it should be any different now I am in Congress. Well, on January 4 the Democrats put forward a bill to ban gifts from lobbyists, but, you know, we failed in that bill, and we failed because not one Republican would join us in banning gifts from lobbyists.

Now, last October Speaker GINGRICH said he would work to pass a bill that would ban gifts from special interests, so now, Mr. Speaker, we have a bill; we have a bill that would do just that, House Resolution 40, introduced by my colleague, the gentleman from Texas [Mr. BRYANT]. It will do that.

Let us, all of us, pass that bill. But, you know, we are going to need Republicans to help us do that, so let us do the job we were sent to do. We are paid to do it. We do not need gifts from people who just want to influence us.

□ 1040

CHANGE MEANS LESS GOVERNMENT, MORE FREEDOM

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, "The country needs and, unless I mistake its temper, the country demands bold, persistent experimentation. It is common sense to take a method and try it. If it fails, admit it frankly and try another. But above all, try something."

These words were spoken by Franklin Delano Roosevelt. True words are time-

less. Today, the Republicans are going to answer the country's demand for less Government and more freedom. Common sense tells us that the burgeoning bureaucracy of the past 40 years has failed. So it is time to try something else. The balanced budget has passed. A presidential line item veto, term limits, cutting spending first, and cutting taxes will follow.

Our country can no longer afford to hold on to the 40 years of failed methods simply for sentimental reasons. The rationale that "that's the way we've always done it" no longer applies. It is not good enough to do more and more of the same thing. We must try something different. And we will start with keeping our promises.

DEAL OF THE CENTURY

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, 1 week ago today the House Ethics Committee was appointed. I call on the Ethics Committee to begin an immediate in-depth investigation into the deal-of-the-century book deal. The Ethics Committee must review this contract and possible conflicts immediately. I am sure they will find the necessity to call for an independent counsel.

Mr. Speaker, the House deserves to know how long this relationship or partnership has been ongoing. The Republicans should not oppose having an independent counsel to review this most lucrative of all deals in the history of House of Representatives.

Does this contract prevent mass purchases by supporters, such as GOPAC? Are the royalties 10 percent, 20 percent, 30 percent, 50 percent? Let us lay the contract on the table. Have the independent counsel review past meetings for possible conflicts of interest.

The Ethics Committee must represent the entire House, not any specific Member, and act in a timely manner. It should not take 100 days to begin acting on this matter.

LOANS TO MEXICO

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, today's newspapers report that the International Monetary Fund is about to make a \$7.6 billion loan, the largest in its 50-year history, to Mexico. By far the largest contributor to the IMF is the United States.

Mr. Speaker, a few weeks ago it was announced that the Clinton administration had agreed to put up \$9 billion of an \$18 billion loan package for Mexico. All this was and is being done without a vote by Congress. This is all

separate from and in addition to \$40 billion in loan guarantees the President wants Congress to now approve.

Mr. Speaker, A.M. Rosenthal, the New York Times columnist, says today, "It is not common sense to lend \$40 billion more to a country whose leaders have so botched things up to be handled by the same American officials who participated in tamping down the economic truth" about Mexico's economy.

The Times also reports that Mexican officials are strongly denying they will agree to any tougher conditions to fight illegal immigration or drug trafficking to the United States.

Apparently, though, our financial powers are going to pour billions into Mexico, using taxpayer dollars, even though there is no grassroots support. In fact, there is overwhelming opposition by the American people.

CONVERSATION BETWEEN SECRETARY BABBITT AND CONGRESSMAN HAYES?

(Mr. HAYES asked and was given permission to address the House for 1 minute.)

Mr. HAYES. Mr. Speaker, the Northwestern School of Law, Lewis and Clark College, has a journal that contains an article written by Secretary of the Interior Bruce Babbitt. I know you do not care.

It attacks almost every property rights ownership group in America. That you ought to care about. And what you really ought to care about is that it has a whole page devoted to a meeting Mr. Babbitt had with me, except we never had a meeting. And in this meeting Mr. Babbitt says, "I told Hayes he was a tricky, no good devil." I know I would remember that.

He says that I responded, but I assure you that is not what I would have said. I would have said, "Silly Babbitt, tricks are for the kids."

Mr. Babbitt also says I am a Republican from Louisiana. I will tell you what: That the job he is doing in the South and in the West, that is one mistake I may not change for him.

A YEAR-LONG CAMPAIGN TO AMEND THE CONSTITUTION

(Mr. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mr. CHRISTENSEN. Mr. Speaker, the liberal defenders of the old order said it could not happen. The Democrat-controlled Congresses of previous years would not let it happen. But finally a Republican-controlled House made it happen. We passed a balanced budget amendment last night. I would have preferred to protect the taxpayers by including a tax provision limitation in there that requires three-fifths. But

it did not pass because only 20 percent of the Democrats supported it. Today we are going to begin a yearlong campaign to amend the Constitution to require a three-fifths' majority to raise taxes. And if it does not pass next year, the people will know what they have to do at the polls in 1996 so that we can pass a three-fifths provision in 1997.

Mr. Speaker, the balanced budget amendment represents real change, and we will continue to keep our promises made in the Contract With America. We have one down and nine to go. We need your help.

CHILD SUPPORT NOW

(Mr. NEAL of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. NEAL. Mr. Speaker, today is day 24 of Contract With America. I have reviewed the contract and I have asked myself what is in the contract for children. I have carefully reviewed the Personal Responsibility Act and there are no child support provisions.

Child support is the cornerstone of welfare reform. We cannot have successful welfare reform without strong child support enforcement provisions.

It is time to address this issue head on. It is day 24 of the contract. We need to set goals on child support enforcement legislation now.

We need to send a message to the American people that we are serious about welfare reform. A tough child support system requires both parents to live up to their responsibilities.

Out-of-wedlock births have increased. There is no such thing as an illegitimate baby. We need to send a message to the noncustodial parent who is one-half responsible for the birth of the child. The parent needs to know of his obligation to support the child.

Massachusetts has been very successful with child support enforcement and should serve as a role model for the rest of the country. Massachusetts has increased its child support collection rate from 51 percent to 67 percent over a 3-year period.

We need child support enforcement legislation at the Federal level. Unfortunately, child support enforcement is not adequately addressed in the contract.

It is day 24. Where is child support in the contract?

TRIBUTE TO ELAINE POVICH

(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I had an opportunity Wednesday night to attend the Washington Press club dinner, and I also was pleased to take note of the fact that the Dirksen Congressional

Research Center chose Elaine Povich as the recipient of the Award for the Best Reporting of Congress.

Now, past winners have included Cokie Roberts, Marty Tolchin, John Dancy, Adam Clymer, and Helen Dewar.

Elaine is the chief congressional correspondent for the Chicago Tribune. Her articles educate and enlighten millions of people throughout Illinois.

Most notably, her recent work on the development of health care legislation in Congress gave all her readers a chance to see how this place really works. She took an extremely complex issue and process and made them both comprehensible.

I personally have enjoyed Elaine's work for years, and I know that she is deserving of the great honor of being named the recipient of this award from the Dirksen Research Center.

Congratulations, Elaine, keep up the good work.

Mr. Speaker, I include Elaine's biography at this point:

BIOGRAPHY OF ELAINE S. POVICH

Elaine S. Povich is a Capitol Hill correspondent for the Chicago Tribune who also covers health care issues. Prior to this assignment, her work concentrated on economic issues. She joined the newspaper in March, 1987.

Before joining the Tribune, Povich was employed by United Press International for 12 years, the last nine in Washington. She was most recently UPI's Capitol Hill reporter.

Povich is the recipient of the 1989 Women in Communications 'Clarion' award for her story on the impact of the most recent stock market crash on the Chicago markets and on federal regulation of those markets.

Povich served on the board of the former Washington Press Club and is the immediate past President of the Washington Press Club Foundation, a non-profit organization which promotes journalistic history and issues.

Born in Bath, Maine, she was graduated from Cornell University with a B.A. in English. While at Cornell, Povich was awarded a Newspaper Fund Scholarship and participated in the Fund's internship program. She joined UPI in Jackson, Mississippi in 1975.

Povich is married to Ronald Dziengiel, a manager with Westinghouse Electric Co., and lives in Laurel, Maryland. They have one child, Mark Dziengiel, age 3.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHUSTER). Pursuant to a previous announcement, the Chair will announce this will be the last 1-minute until the end of the day.

TERM LIMITS: AN IDEA WHOSE TIME HAS COME

(Mr. DEAL of Georgia asked and was given permission to address the House for 1 minute.)

Mr. DEAL of Georgia. Mr. Speaker, term limits for Members of Congress is an idea whose time has come. We have seen 22 States attempt to limit the

membership in this body by statutory law within their States. Those limitations have ranged from 6 years to 12 years, with variations in between.

□ 1050

We have seen constitutional amendments proposed in this body that likewise range from 6 years to 12 years with variations in between.

Today, Mr. Speaker, I, along with the gentleman from Minnesota [Mr. MINGE], the gentleman from Massachusetts [Mr. MEEHAN], and the gentleman from Georgia [Mr. KINGSTON], have introduced a proposed constitutional amendment that would set an outward boundary of 12 years for membership in both this body and the body across the way. But it also has the unique provision of allowing States the authority by statute to set any limitation less than that that they choose.

I say to my colleagues: If you believe in States rights, if you believe in federalism, if you believe in term limits that allow States flexibility, I would urge you to join with us in cosponsoring this constitutional amendment.

APPOINTMENT AS MEMBERS OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore (Mr. SHUSTER). Without objection and pursuant to the provisions of sections 5580 and 5581 of the revised statutes, 20 U.S.C. 42-43, the Chair, on behalf of the Speaker, appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House:

Mr. LIVINGSTON of Louisiana, Mr. SAM JOHNSON of Texas, and Mr. MINETA of California.

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 43, TO PERMIT COMMITTEE CHAIRMEN TO SCHEDULE HEARINGS

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-6) on the resolution (H. Res. 47) providing for the consideration of the resolution (H. Res. 43) to amend clause 2(g)(3) of House Rule XI to permit committee chairmen to schedule hearings, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION AMENDING HOUSE RULES TO PERMIT COMMITTEE CHAIRMEN TO SCHEDULE HEARINGS

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-5) on the resolution (H. Res. 43) to amend clause 2(g)(3) of House Rule XI to permit committee

chairmen to schedule hearings, which was referred to the House Calendar and ordered to be printed.

UNFUNDED MANDATE REFORM ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 38 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5.

□ 1052

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes, with Mr. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, January 24, 1995, the amendments en bloc offered by the gentleman from New York [Mr. OWENS] has been disposed of, and section 4 was open for amendment at any point.

Are their further amendments to section 4?

Mr. VOLKMER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

Mr. VOLKMER. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HILLIARD].

MEDICARE

Mr. HILLIARD. Mr. Chairman, today I rise to challenge my colleagues not to forget about a constituency of this Nation that looks to us to fulfill our obligation to them. This obligation is the preservation of the Medicare program. All of us, as citizens, owe a debt to those who have come before us, our senior citizens, and made this country what it is, and we must not sacrifice their needs to pay for our excesses. Passing a balanced budget constitutional amendment without specifying where the target cuts are will tie our hands as a Congress and jeopardize the fulfillment of our pledges to the senior citizens of this Nation. We have pledged to take care of the elderly and the infirm so that they and their families will not have to shoulder the burden of their illnesses alone.

We must remember those persons who have entrusted us with this trust. We must not forsake them when they need us most. It is our duty to preserve

this fund and protect those who are under our care. I ask the U.S. Senate and the President not to forsake them.

Mr. VOLKMER. Mr. Chairman, I yield back the balance of my time.

Mr. CLINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know that Members are happy and excited at the prospect that we are going to be dealing with unfunded mandates again today. A little Friday morning sarcasm, Mr. Chairman, because I really expect that the reverse is actually the case. We are hearing on both sides of the aisle that there is hope that we can come to a conclusion on this very important legislation, so I sense the reverse is true, and I would ask my colleagues, "Who else really wants to see an end to this process?" That would be the Nation's Governors, both Republicans and Democrats; the Nation's mayors, again both Republicans and Democrats; the Nation's county commissioners, the Nation's township supervisors, both Republicans and Democrats who really want to see this bill moved through the process.

They are faced with some very hard choices, Mr. Chairman. They have to, in many cases, decide whether to continue or reduce a very vital local program in order to carry out a Federal mandate that is imposed upon them from here in Washington, and I must say, Mr. Chairman, that the passage of the balanced budget amendment last evening makes this an even more urgent requirement. They are going to need relief from the unfunded mandates situation because their concern is with the balanced budget amendment we may just accelerate our ability, our wish, to pass through requirements that we are not going to be able to fund because of the balanced budget amendment.

So, it is the local mayors, Governors and so forth, that are really crying out for this legislation, and quite frankly, Mr. Chairman, in talking with the mayors, and the Governors, and the county commissioners and so forth, they resent the really patronizing attitude that has permeated much of the debate, or at least some of the debate, we have had over the last 4 or 5 days, the idea that only the Federal Government can be relied on to protect clean water, protect clean air, worker safety, the health and safety of the Nation. There has been this sort of idea implanted that only the Federal Government is capable and can be trusted to do these things.

I would just want to refer to one of the great responses to that which I think was from Mayor Daley, Richard Daley, the Democratic Mayor of the city of Chicago, who is quoted in the Washington Post yesterday, reported responding to this argument that we have heard that we must be vigilant

here at the Federal Government, require this from the Federal Government. He was quoted in the Washington Post saying, "That argument implies that Mayor Daley or Mayor Rice, the mayor of Seattle, that we don't care about the quality of air and water in our cities. It also implies that some bureaucrat in Washington knows better than we do how to run Chicago or Seattle." And this is a Democratic mayor responding to that argument.

I think, Mr. Chairman, it really is necessary to stress, as we begin debate on some of the amendments that will be coming here, some basic facts about the legislation:

It is not retroactive. We said that time and time again. It is only prospective in its application. It does not affect reauthorization unless there is a new additional mandate contained in the reauthorization, and it does not preclude the passing of future mandates through to the States. I mean there has been some suggestion that we will never do that. All it does is require us, for the first time really, to consider the costs of what we do, to consider the cost of what we are imposing on States and local government.

This morning, Mr. Chairman, we are faced with the prospect, at least, of 37 proposed exemptions to section 4 of the legislation. My hope would be that we might be able to move through section 4. I have said that I hope that I could get to title 1 of this bill by April, but I was not sure which year, and I still hope we might be able to move through section 4 of the legislation today.

For that reason, Mr. Chairman, I would at this point like to ask unanimous consent that we might limit debate on all exemptions, amendments to section 4, to 20 minutes on each side.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mrs. COLLINS of Illinois. Reserving the right to object, Mr. Chairman, I want to reiterate what I said to the gentleman on Tuesday, that we were promised an open rule in the Committee, and I believe that we are raising extraordinarily important issues for each of these amendments. These are amendments that we did not get the opportunity to offer when we were in committee. They are amendments that are valid, and many of the offerers of these amendments have been patiently waiting as we have gone through other amendments, and I wish to be fair to them. As my colleagues know, rather than race through this bill, I think I can offer the Governors and mayors, even my own mayor, something better, and that is that I will be offering an amendment to make the bill effective upon enactment, not October of this year.

Further, I notice that other amendments are being put into the Record as we go. I have here yesterday's CON-

GRESSIONAL RECORD, and I see there is an amendment here on page H803 that is being offered by the gentleman from California [Mr. RIGGS].

□ 1100

So amendments are still being offered on this piece of legislation by the other side, as well as amendments that we already have over here, amendments that have already been printed in the RECORD.

Further reserving the right to object, I want to make it clear that I personally am not offering amendments to this particular section, but I believe in the right of my colleagues to have a full debate on their amendments. I do not believe that they have had a complete opportunity to be aired in the committee.

Therefore, Mr. Chairman, I must object at this time.

The CHAIRMAN. Objection is heard.

Mr. VOLKMER. Mr. Chairman, will the gentlewoman yield?

The CHAIRMAN. Does the gentleman yield under her reservation?

Mrs. COLLINS of Illinois. I will yield under my reservation, Mr. Chairman.

Mr. VOLKMER. Mr. Chairman, I would like to point out to the gentleman from Pennsylvania that I know he is anxious to proceed with the bill, and there are other Members who are anxious, but I notice, as I look around, that I see very few Members on either side participating. One of the reasons is that we have Members on this side who have amendments to this section who are now being required to be in committee in markup and cannot be here. If we have this notice and this type of a limitation, there is no way for them to know that that is going to occur, and they are going to be shut out on their amendments because they are going to be in markup.

I believe we should continue in the orderly business, and then as we proceed toward the end, we can notify those Members. Hopefully, they will be able to leave the markup and come over here and offer their amendments. Right now they are being required by the majority to make a decision that no Member of this body should ever have to make, and yet they are being asked to do so by this procedure.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. The gentlewoman from Illinois has the time.

Mrs. COLLINS of Illinois. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, I think the frustration here is that no one wants to deny any Member the opportunity to offer an amendment. It is just that with the debate on some of these amendments, we are hearing the same arguments on our side in terms of not opening this up and include the costs of all these items before any kind of unfunded mandate would emanate from this body.

The arguments are very similar in most of these areas. Limiting debate would allow everyone to offer their amendments. Members could stay on the floor and listen because the votes would be coming much closer. That is all we are trying to get to, not to deny any Member the opportunity to offer an amendment.

We are just talking right now about this one title of the bill. I was in committee along with the gentlewoman, and these amendments were allowed to be offered in committee. In some of the other sections they were not because they were part of the rule.

Mrs. COLLINS of Illinois. Mr. Chairman, some of our amendments were not allowed to be offered in committee, as the gentleman recalls. We were told amendments could be offered on the floor, and that is what we intend to do.

Mr. Chairman, I again state that I object.

The CHAIRMAN. Objection is heard.

For what purpose does the gentleman from Virginia [Mr. DAVIS] rise?

Mr. DAVIS. Mr. Chairman, I have nothing further, but I will move to strike the last word to say that we have tried to make an effort to move this dialog along at this point. We are prepared to stay this afternoon until 3 and, I think, on Monday until late in the evening to try to move this bill through.

This week I was over at the National Association of Counties with Michael Highsmith, who is the chairman there, from Fulton County, GA. They are very frustrated about the pace of activity in this body.

We have the mayors in this week and the Governors in next week. They would like to see some action. We are just trying to move the debate along, but if the other side of the aisle feels they need more time, I guess we ought to just go ahead and proceed and let them offer their amendments and face each one on the merits one by one.

AMENDMENTS OFFERED BY MR. KANJORSKI

Mr. KANJORSKI. Mr. Chairman, I offer my amendment No. 84, which has been printed in the RECORD pursuant to clause 6 of rule XXIII, and I ask for its immediate consideration.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 84, offered by Mr. KANJORSKI: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) pertains to investor protection, the safe and sound operation of financial markets, federally insured depository institutions and credit unions (as those terms are defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) or section 101 of the Federal Credit Union Act (12 U.S.C. 1752), respectively), or the deposit insurance funds that insure the deposits or member accounts in

those depository institutions or credit unions.

Mr. KANJORSKI. Mr. Chairman, in order to facilitate the work of the House, I also ask unanimous consent that this amendment be considered en bloc with an identical amendment to section 301 of the bill which creates an identical section 422 of the Congressional Budget Act of 1974.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KANJORSKI: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon in paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following:

"(8) pertains to investor protection, the safe and sound operation of financial markets, insured depository institutions (as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)), insured credit unions (as that term is defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)), or the Federal deposit insurance funds that insure the deposits or member accounts in those depository institutions or credit unions.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that the amendments be considered en bloc?

There was no objection.

The gentleman from Pennsylvania, [Mr. KANJORSKI] is recognized for 5 minutes in support of his amendments.

Mr. KANJORSKI. Mr. Chairman, I offer this amendment in conjunction with the ranking member of the Subcommittee on Financial Institutions, the gentleman from Minnesota [Mr. VENTO]. The gentleman from Minnesota and I think this is an important amendment, and I know that my good friend, the gentleman from Pennsylvania [Mr. CLINGER], chairman of the committee, is never a man of sarcasm, so I know he was not suggesting that some of these amendments we offer today are frivolous or done for dilatory purposes.

This amendment is a very important amendment because it really tries to address one of the greatest unfunded mandates that ever occurred in the history of the United States, and that is the unfunded mandate that did not come about by action of this Congress or action of the Federal Government but came about as a result of the failure of State governments to properly regulate their savings and loans.

What I refer to, Mr. Chairman, is the savings and loan bailout. Many of us unfortunately have short memories of history. If we go back to the 1980's, we will soon realize that the crisis created in the savings and loan industry of this country was basically caused by four States which had the regulatory authority over S&L's and were able to grant S&L's extraordinary powers and rights of investment in the exercise of

how they handled the funds of their investors and their depositors. As a result of the poor or lax regulations by State regulators, this Congress and this country was caused to be assessed well over \$300 billion to pay for the bailout of the S&L's in the late part of the 1980's and the early part of the 1990's.

So when we talk about unfunded mandates and we talk about whether or not we are interfering with regulators' control, it is important to concentrate on what we are doing.

The purpose of this amendment is to exempt anything pertaining to investor protection, the safe and sound operations of the financial markets, insured depository institutions and the deposit insurance funds. I cannot imagine why we would not recognize that the impact of this bill on some of the regulatory bodies of the Federal Government could breach their authority to exercise and promulgate rules and regulations and this could in turn cause another S&L type disaster in this country. With this piece of legislation in place as it is presently drafted, the regulatory bodies that are charged with the responsibility of overseeing the financial institutions and the financial markets of this country would be unable and incapable of taking any action to prevent that activity.

We have in this area the support of all the regulators for our amendment. Let me cite the FDIC letter:

Exempting regulations that address the safety and soundness of financial institutions and their insurance funds is an appropriate, limited amendment to balance the needs of the financial regulators, the financial industry and the taxpayers.

From the letter of the Comptroller of the Currency, may I quote:

I am very concerned that complying with the requirements in H.R. 5 may delay issuances of important rules by the banking agencies and the National Credit Union Administration that are needed to ensure the safety and soundness of insured institutions. * * * If there are losses to the deposit insurance funds because a regulation is delayed, the taxpayers may be burdened with the expense of covering those losses. In this case, any possible benefits from conducting the analyses may be far outweighed by the ultimate cost to the American people. * * * Your amendment—

Referring specifically to this amendment—

is appropriate and necessary. These agencies must have the ability to act quickly to fulfill their supervisory responsibility and their responsibility to protect the deposit insurance funds.

□ 1110

We also have a letter from the Office of Thrift Supervision citing its strong support for this amendment. We have a letter from the National Credit Union Administration citing its strong support for this amendment.

We also have, and it is interesting, a situation where under the Office of

Federal Housing Enterprise Oversight that regulates Fannie Mae and Freddie Mac, that they are about to issue major regulations revising the capital standards of Fannie Mae and Freddie Mac, multihundreds of billion-dollar corporations that are vital to the real estate industry of this country. And because this office of HUD is in the process of getting ready to issue those regulations regarding the requirement for higher capital standards, this statute could block those issuances.

I cannot believe that with the history of the S&L disaster so near to us, that anyone would want to enact legislation that would prevent Federal regulators from issuing capital standards as important as these.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. KANJORSKI] has expired.

(At the request of Mr. VENTO and by unanimous consent, Mr. KANJORSKI was allowed to proceed for 3 additional minutes.)

Mr. KANJORSKI. Mr. Chairman, at this time I will include for the RECORD the letters of the regulators in their entirety.

FEDERAL DEPOSIT
INSURANCE CORPORATION,
Washington, DC, January 19, 1995.

Hon. PAUL E. KANJORSKI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KANJORSKI: Thank you for your letter requesting the Federal Deposit Insurance Corporation's comments on an amendment to H.R. 5, the Unfunded Mandates Reform Act.

H.R. 5 imposes additional requirements such as a cost benefit analysis on the rule-making process for federal agencies. We understand that you plan to offer an amendment to H.R. 5 to provide for an exemption for regulations that pertain to investor protection, the safe and sound operation of financial markets, federally insured depository institutions or their deposit insurance funds. We strongly support this amendment.

The federal financial institution regulators recognize that regulations can be burdensome and costly. For this reason, the FDIC is seeking to be sensitive to the impact of regulations and to minimize the burden and costs they impose on the industry and consumers. I have asked the FDIC staff to review outstanding regulations to determine whether there are areas where regulatory burden can be reduced.

Nevertheless, the federal financial regulators are responsible for ensuring the safety and soundness of the nation's financial system. The FDIC, as the insurer of banks and thrifts, has a particular responsibility for assuring that the taxpayers do not have to cover the costs for future financial institution failures as they did in the savings and loan crisis. Although regulations may impose costs on financial institutions, recent history teaches us that the costs to the taxpayers of failures in the financial regulatory system are much greater. The FDIC's independence and ability to respond quickly to problems in the financial system are two reasons why the taxpayers have never had to pay a penny for bank failures, even with the record number of bank failures in recent years. Exempting regulations that address

the safety and soundness of financial institutions and their insurance funds is an appropriate, limited amendment to balance the needs of the financial regulators, the financial industry and the taxpayers.

On a related issue, it is our understanding that H.R. 5 as currently drafted will exempt any effort by the FDIC to reduce insurance assessment rates later this year when the Bank Insurance Fund is recapitalized at the level mandated by Congress. This reduction in insurance assessment rates will significantly reduce costs to the banking industry.

I hope these comments will prove helpful. If you or your staff have any further questions, please call me.

Sincerely,

RICKI TIGERT HELFER,
Chairman.

COMPTROLLER OF THE CURRENCY,
ADMINISTRATOR OF NATIONAL BANKS,
Washington, DC, January 19, 1995.

Hon. PAUL E. KANJORSKI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KANJORSKI: Thank you for your letter of January 18, 1995 requesting my views on the amendment to H.R. 5, the proposed "Unfunded Mandates Reform Act," that will be offered by you and Congressman Vento. I strongly support your amendment.

I am very concerned that complying with the requirements in H.R. 5 may delay issuances of important rules by the banking agencies and the NCUA that are needed to ensure the safety and soundness of insured institutions. Specifically, sections 201 and 202 require all agencies covered by the bill, including bank regulatory agencies, to do detailed and time consuming cost/benefit analyses of regulatory proposals. If there are losses to the deposit insurance funds because a regulation is delayed, the taxpayers may be burdened with the expense of covering those losses. In this case, any possible benefits from conducting the analyses may be far outweighed by the ultimate cost to the American people.

All future regulatory actions, including joint regulatory actions with the other banking agencies, that impose a duty on insured institutions and/or their management or affiliated parties may be subject, at least in part, to some of the requirements of the bill and possibly delayed. This would include such important initiatives as interest rate risk and other capital adequacy regulations that are important to safety and soundness.

The amendment being offered by you and Congressman Vento recognizes the critical need to permit the banking agencies and NCUA to continue to take expeditious regulatory action. Your amendment would exclude from the bill the agencies' regulations that pertain to federally insured institutions or the deposit insurance funds. This is appropriate and necessary. As you and Congressman Vento appreciate, these agencies must have the ability to act quickly to fulfill their supervisory responsibility and their responsibility to protect the deposit insurance funds.

Thank you for giving me the opportunity to express my views on this legislation and my support for your amendment.

Sincerely,

EUGENE A. LUDWIG,
Comptroller of the Currency.

OFFICE OF THRIFT SUPERVISION,
DEPARTMENT OF THE TREASURY,
Washington, DC, January 20, 1995.

Hon. PAUL E. KANJORSKI,
Committee on Banking and Financial Services,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN KANJORSKI: By letter dated January 18, 1995, you requested our comments on a proposed amendment that you and Congressman Vento will be offering to H.R. 5, the Unfunded Mandates bill. As we understand it, your amendment would exempt from coverage under the Unfunded Mandates bill, regulations and legislation involving the safe and sound operation of federally insured depository institutions and credit unions, or protection of the federal deposit insurance funds.

We are fully supportive of your efforts to have this amendment included in the Unfunded Mandates bill. As you know, the federal banking agencies are responsible for supervising the nation's financial institutions to ensure the safe and sound operation of our national financial system and to protect the federal deposit insurance funds. Recent history is replete with many instances in which one or more of the federal banking agencies or Congress has had to act quickly to address a threat to the financial system or the deposit insurance funds. Any legislation that would delay this process could seriously jeopardize the smooth operation of our nation's financial institutions and the financial markets, as well as threaten the stability of the deposit insurance system. Moreover, since the deposit insurance funds are backed by the full faith and credit of the U.S. government, any delay in issuing regulations that results in significant losses to the deposit insurance funds could require U.S. taxpayers to pay the bill.

Examples of several current issues that are being monitored by the federal banking agencies and/or the House and Senate Banking Committees are the impact of derivatives on the nation's financial system, the impact of foreign currency fluctuations on the U.S. financial markets, updating capital and accounting standards to keep abreast of changes in the marketplace, and the potential repercussions of a deposit insurance premium differential. Any one of these issues could require quick and decisive regulatory or legislative action.

Thank you for the opportunity to comment on your proposed amendment to the Unfunded Mandates bill. If I or my staff may provide you with any additional information on this matter, please contact me.

Sincerely,

JONATHAN L. FIECHTER,
Acting Director.

NATIONAL CREDIT
UNION ADMINISTRATION,
January 19, 1995.

Hon. PAUL E. KANJORSKI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KANJORSKI: Thank you for the opportunity to comment on your amendment to H.R. 5.

Your amendment would exclude safety and soundness rules of financial institution regulators from this legislation.

As you know, the National Credit Union Administration is in the process of considering long overdue safety and soundness regulations covering capital, investments and other critical matters regarding corporate credit unions. To delay these vital rules would be a most unwise course of action.

Therefore, I strongly support your proposed amendment.

Sincerely,

NORMAN E. D'AMOURS,
Chairman.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding, and want to commend him for his statement and his leadership on this. I am pleased to join with him in this matter.

Mr. Chairman, the fact of the matter is that so often we have heard with regard to the unfunded mandates that they are all prospective. But the fact is you have to look at the bill on pages 16 through 30 to look through the rule and regulation and accountability issue. And in this they find it necessary to apparently, it is my understanding on page 23 of the bill, it is not very clear, that they exempt the Federal Reserve Board, which has regulatory financial responsibilities, the FDIC, the SEC, the National Credit Union Administration, but not mentioned is the Office of Thrift Supervision, which is responsible for all of the savings and loans incidentally, that is ironic because of the S&L bailout problem, and the Office of the Comptroller of the Currency, which is, of course, taking the lead with regard to derivatives. Hello, are you awake over there? Derivatives, the issue having to do with Orange County and quite a few other problems that have come up.

It is absolutely imperative that they not be put in a position where you have further new and higher hurdles that frustrate action and response. These agencies work in sync, and even the independent agencies you think you have exempted are asking for the exemption being offered in the Kanjorski-Vento amendment. And good intentions are not enough. We have to stand up here for safety and soundness.

Now, I must say to my friends, those that are the advocates of this particular bill, the unfunded mandates, and some of the other regulatory reform measures, that some regulatory responsibilities are necessary. It is necessary for the Office of Thrift Supervision to tell the State chartered S&L's what they do in terms of safety and soundness. It is necessary to do that, and it is absolutely imperative. And, yes, some of them have impacts that are into the fifty and hundreds of millions of dollars of impact.

But we think that this process is one that should not be thwarted, there should not be further hurdles, there should not be political interjection into this particular process. I think if it is sound for the Federal Reserve Board and the other agencies which you think you have exempted, then why would you not do this for the Office of the Comptroller of the Currency

or for the Office of Thrift Supervision, which have these major responsibilities and are, in fact, taking the lead in these sensitive financial instruments.

Good intentions are not enough here, and I do not think we can rely on the wisdom of the Senate, which I think in fact has adopted an amendment similar to that being proposed by my colleague from Pennsylvania, Mr. KANJORSKI.

I strongly urge the Members to pause and look, not to march down in lock step because the majority leadership here cannot come to grips with this particular issue, and assume that somebody else is going to take care of it. It is not going to happen. We should send a strong signal here for safety and soundness and the protection of the American taxpayers. We have got a \$100-billion saving and loan example, for those that cannot remember history. We may be destined to repeat it in fact by virtue of all the good intentions that you are expressing in this bill.

Mr. Chairman, I ask Members to support the Kanjorski-Vento amendment.

Mr. CLINGER. Mr. Chairman, I move to strike the last word, and rise in opposition to the gentleman from Pennsylvania's amendment, and would indicate that I am reflecting basically also the views of the chairman of the Committee on Banking and Financial Services in opposition to this amendment, and also the gentleman from Nebraska [Mr. BEREUTER], who has a very great interest in this.

Mr. Chairman, the argument that the cost-benefit analysis is going to delay the issuance of safety and soundness regulations by OCC and OTS is in my view a red herring. The OCC and OTS have never issued safety and soundness regulations on an emergency basis. Banks have been waiting for 2 years for the agencies to issue safety and soundness regulations concerning interest rate risk, and the cost-benefit analysis will not delay agency response to emergency situations. OCC and OTS respond to safety and soundness emergencies through the use of their cease and desist authority, not the use of rule-making authority.

We had been willing to consider the possibility of an emergency provision which would have allowed, if there was an indication by the Secretary of the Treasury that there was an emergency situation, that we would be willing to consider waiving the requirement in an emergency situation. But that was unacceptable to the sponsors of this amendment.

I would point out in my view this is a weakening amendment, and I am a little confused by what seems to be a little schizophrenia within the administration. The administration indicated they would resist all weakening amendment, and yet we have here agencies of the administration supporting this amendment. So we seem to

have a little, as I say, a little schizophrenia within the administration.

Therefore, I must oppose the amendment, because I think it is way too broad. It just does not need to be this broad, and I would resist the amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I appreciate the gentleman yielding. I just wanted to point out the concern that we have had with suggestions about the declaration of crisis in order for the action to take place, which then would suspend the requirements of the bill. And the problem that we have is that the word "crisis" is very close to "panic," which is withdrawing all of your funds out of the financial institutions could very well create the type of circumstances that we are trying to avert.

Mr. CLINGER. Mr. Chairman, reclaiming my time, we are not talking about a crisis, but an emergency, and the definition of an emergency I think is a lower temperature than a crisis.

Mr. VENTO. If the gentleman would yield further, I think the point is still one that is very valid, that if you have this unusual circumstance, you may very well create the type of circumstance you are trying to avoid and avert. And this is something we need to have, this type of authority in these independent agencies, whether it is the Office of Thrift Supervision or the FDIC or the Office of Comptroller of the Currency, and I think the issue with regard to derivatives is right on. Yes, they take time, but when they are ready to go, they should not have to go through the process. I think we have adequate confidence in these independent agencies that they are able to take on this particular task without the type of limitations that are being placed and are present in this particular legislation.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, again, the frustration. Everything, every amendment that comes up, is an emergency, it is a crisis. It is something that this bill is somehow going to take away the flexibility of this body or the regulators to address. I just do not think that is the case.

But I would just note that the same people have been arguing for all of these other exemptions, the Clean Air Act; wastewater treatment; aviation airport security; licensing, construction, and operation of nuclear reactors; disposal of nuclear waste and toxic substances; operation of nuclear reactors; health of individuals with disabilities; child labor; minimum wages; OSHA; protection of children; help for people

with disabilities; and then this. It is the same arguments and attempts to weaken this bill.

Many of these items have valid points, but I think they can all be addressed within the flexibility of this act, given this body can still go ahead with unfunded mandates after they are costed out and the regulators reach what those costs are before they act.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, of course, rise in strong support of the amendment offered by my colleague, the gentleman from Pennsylvania [Mr. KANJORSKI], and myself.

Mr. Chairman, it is ironic that a proposal, H.R. 5, which purports, that is, this legislation, which purports to provide indepth information about mandates and regulation to the Members of the Congress to prevent missteps and problems, has been so poorly conceived and considered by the committees and Members of the House. We owe it to ourselves and to the American taxpayer to know what we are voting on with regard to H.R. 5.

Unfortunately, that commonsense step was ignored in the helter-skelter rush to meet a politically imposed deadline, and I think the results are evident on the floor again today with the proliferation of amendments that need to be considered. How can we in all candor and seriousness advance a policy of legislative requirements in terms of saying we want more information when the process for consideration of this very bill ignores or violates the commonsense deliberative consideration of the very measure before us?

□ 1120

What we are getting back is, of course, slogans about the fact, what is wrong with having information. I have said before, and I think I have pointed out in depth in this bill, that it is not just a matter of providing information on the floor with regard to the CBO doing an analysis of unfunded mandates and a variety of sundry information.

That is not the issue here. Of course, I think that is an issue in the sense that CBO has never done that before, that we do not have any example of how that will work, or whether CBO will have the necessary funding to answer these metaphysical questions which are raised with regard to some of the anticipation in terms of unfunded mandates. It has not been done before. There is no track record of it. However, let us just keep going on with that.

Second, this bill is not just prospective in nature or dealing with information on the floor, as difficult as it may be to define that information. This bill requires the rules and regulations that are issued by the agencies and the departments covered to go through a statement of significant regulatory action, on pages 16 and 17, requires an entire regulatory process to be evaluated.

It says "Any Federal Government action, any agency action, any action or anything that affects the private sector," one step further, to the extent of \$100 million.

The fact of the matter is that that is going to impact the regulatory agencies that we have outlined here, that have significant responsibilities for financial institution safety and soundness, for the protection of billions and billions of dollars of deposit insurance and other responsibilities integral to the financial structure of this Nation, and really globally. We are the global leader. The gentleman is leaving open and is suggesting that ought to go through that process.

Some have pointed out that it could be very litigious, a lot of legal questions asked in terms of this entire process itself. Superimposing that upon top of the existing regulatory process. What the gentleman is superimposing is on top of the current process.

Maybe it will be coordinated, maybe it will all work out, but the question is, I think, if the gentleman finds it necessary to exempt the Federal Reserve Board and the other agencies in this bill, how in good conscience can you then keep the Office of Thrift Supervision and the Office of Comptroller of the Currency under this particular exemption? Why do we have two standards here?

Mr. Chairman, I do not understand it. The gentleman is not explaining it. His arguments do not speak to that. They do not speak to the retroactive nature of the rules and regulations and the interference that is offered in this particular bill.

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Ohio.

Mr. PORTMAN. Just to clarify a few of the points, Mr. Chairman, when the gentleman took to the floor earlier, and his colleague, and in some of the statements he just made, it is unclear to me as to whether he is concerned about title III of the bill, which is the point of order process, or whether the gentleman is concerned about title II, the regulatory requirements.

Mr. VENTO. Mr. Chairman, I did not hear the gentleman. Would the gentleman repeat his comment?

Mr. PORTMAN. Mr. Chairman, the gentleman has given a broad-ranging discussion of the legislation and his critique of it. With respect to this amendment, is the gentleman concerned about the fact that future legislation might be subject to title III of the bill; in other words, subject to a CBO cost analysis, and then a point of order on the floor, which could be waived by majority, or is the gentleman's concern more in terms of regulatory action that may be taken?

Mr. VENTO. Reclaiming my time, Mr. Chairman, my concern is with the

fact that these agencies are covered under title III, and covered under the regulatory accountability and reform. They are actually covered under both, insofar as there is no exemption in the bill for them.

Mr. PORTMAN. If the gentleman will continue to yield, Mr. Chairman, it seems to me it is important to clarify what this legislation does with regard to future regulations that might be promulgated by the agencies. Yes, they would have to undertake a cost-benefit analysis. That cost-benefit analysis, as the gentleman well knows, is currently required by the President's Executive order. It seems to me that has been the point that the gentleman from Pennsylvania [Mr. KANJORSKI] has made.

Mr. VENTO. Reclaiming my time, Mr. Chairman, the President's order does not deal with the same detail that the authors of this legislation have. There is not an absolute similarity. This is an additional legislative requirement.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. Mr. Chairman, the Executive order does not deal in the same shape and fashion with some of the materials in this legislation.

Mr. PORTMAN. This is correct, Mr. Chairman. If the gentleman will yield for a moment, the Executive order is more comprehensive than the new requirements in this legislation.

Mr. VENTO. Reclaiming my time, Mr. Chairman, I think there is a vast difference between having something in Executive order which can be dealt with and whether it covers the Office of Thrift Supervision or whether it covers the Office of the Comptroller of the Currency. That is another matter.

Mr. KANJORSKI. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, we are mostly concerned with the capacity of an army of lawyers from one of the wealthiest special interest communities, the financial community of the United States, to resist the issuance of regulations. The President's existing Executive order does not really raise the question of granting the right of judicial review, because an Executive order can be changed with the stroke of the pen of the President.

Therefore, if we see a resistance from the industry itself to the regulations that would be propounded, the President merely has to, that day, issue a new order. Our problem in this legislation is that with it we would have to pass a new act to vitiate the right of judicial review that could tie up emergency regulations that would have to be issued to cover the entire safety and soundness of American institutions.

Mr. VENTO. I just want to point out, Mr. Chairman, that the gentleman has not answered the questions in terms of the disparate treatment, in terms of some of the agencies that have the responsibility for the regulation of financial institutions and other responsibilities and those that do not. I do not understand the differential here. If this is good for these, why is it not good for everyone?

Mr. PORTMAN. If the gentleman will continue to yield, Mr. Chairman, under this legislation, independent agencies are exempt. That is a well-founded exemption for independent agencies. It goes back to the function of independent agencies, to keep their independence from Congress. Independent agencies happen to comprise two of the four agencies about which the gentleman is speaking.

However, I think it is very important.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Ohio [Mr. PORTMAN].

Mr. PORTMAN. Mr. Chairman, I thank the gentleman for yielding.

I think it is important that we have now narrowed down this debate to what the real concern is. The real concern is that with regard to the regulatory requirements in this legislation, they are very plain, very clear. They are not as comprehensive or broad as the current requirement under the Presidential Executive order under which these very agencies have to live.

The difference is that they are in statute, as the gentleman from Pennsylvania [Mr. KANJORSKI] mentions, and not in an Executive order format. We think that is good. We think these agencies are meant to abide by these. Otherwise there would not be an Executive order. It is good to have cost-benefit analyses. This would not in any way interfere with the carrying out of responsibilities in this area.

Mr. VENTO. Reclaiming my time, Mr. Chairman, I think the point is that we have some extraordinary responsibilities for these two agencies. They may not be labeled independent, but certainly we expect the Office of the Comptroller of the Currency and the Office of Thrift Supervision to operate that way. In fact, I think they do under this administration and in past administrations.

In fact, to put these in the statute and to superimpose them on top of other processes, when we have these critical issues with hundreds of billions of dollars is—

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(At the request of Mr. KANJORSKI and by unanimous consent, Mr. VENTO was allowed to proceed for 3 minutes.)

Mr. KANJORSKI. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Not to get off the subject, Mr. Chairman, but this is a perfect example of an argument that should be brought up later when we take up the term limitation question.

Mr. Chairman, we have sitting on the floor today probably 170 Members of this Congress who were not here in the 1980's, and who never saw the abuse of the financial industry of this country when they were able to wield extraordinary power and avoid proper regulation on the State level.

I remember sitting on the Committee on Banking, Finance and Urban Affairs when the regulators, under the administrations of President Reagan and President Bush, would come before the committee and tell us that the total exposure of regulatory problems in the S&L industry was less than \$10 billion, and this was in 1988, the beginning of 1988.

Then in the summer of 1988 they modified their estimate and said that the cost may be as high as \$12 billion, and we come to the rescue with \$12 billion. In November of 1988, the individuals we are talking about in the regulatory agencies came up here and said no, and now this is before November, before the election of the new President, they said it may go as high as \$15 billion.

Immediately after the election and the inauguration of the new President in January of 1989, with great fortitude, President Bush had the guts to face the reality of the disaster in this country. When his regulators came up here they told us the truth. The cost of the bailout could be \$100 billion, \$150 billion \$200 billion, \$250 billion, and it ultimately became more than \$300 billion, when interest is included.

Mr. VENTO. Reclaiming my time for 1 minute, Mr. Chairman, I think the gentleman from Pennsylvania makes a very good point. It was during that time that we had regulations dealing with direct investment, an issue that the chairman, the gentleman from Iowa [Mr. LEACH], and I advocated and worked on. It did not take effect. The regulators were trying to push it. Congress and others were indifferent.

The issue is that the gentleman is creating a loophole here, and look who he is protecting. The gentleman is protecting the Charles Keatings. He is putting loopholes big enough to drive a Charles Keating or someone like that through, permitting them to avoid the enforcement.

Mr. Chairman I am pleased to join with my colleague from Pennsylvania [Mr. KANJORSKI], in offering this amendment to restore essential protec-

tion for the Federal Deposit Insurance funds and the American taxpayers who stand behind them.

There is no question that this amendment is needed. Under the proposed legislation, the Office of the Comptroller of the Currency and the Office of Thrift Supervision will not be able to do their job. Needed regulations on safety and soundness, such as improved capital rules, including interest rate risk, will be delayed and jeopardized if this legislation is not amended. There may be agencies where delays or higher hurdles will not negatively impact the taxpayer, but in today's fast-paced, high-risk financial marketplace, with new products like derivatives, a timely response by the regulators is essential.

Mr. Chairman, the pending legislation is just the first step. I am most concerned about the impact that this bill will have when combined with H.R. 9, the Job Creation and Wage Enhancement Act of 1995 and H.R. 450, the Regulatory Transition Act of 1995. In their totality, these proposals could well become tomorrow's law of unintended consequences. Good intentions are not enough. When Congress passes legislation and enacts laws, the full range of impacts and effects must be considered.

I would note for the benefit of my colleagues that good titles for legislation such as "Regulatory Streamlining" and "Actions Within Artificial and Politically Driven Time Constraints" may well return our insured financial institutions to the thrilling days of the S&L high flyers, who may well use every loophole for personal enrichment. The bills which we will be considering, unless amended by the Kanjorski-Vento amendment, will create loopholes big enough to put Charles Keating and the other bad actors back in business with catastrophic costs to the taxpayer. It may be a leap of faith for some of my colleagues to assume that some regulation is necessary and some mandates are needed. However, it doesn't take much of an understanding of the history of financial institution regulation to agree with the absolute need for the Kanjorski-Vento amendment.

To the majority of my colleagues who were not in this body during the S&L debate, I would like to share with you two painful lessons from the deliberations and experience on which there is a general consensus.

First, in considering any legislation, the safety and soundness of the deposit insurance fund and the American taxpayer must come first.

Second, there are some financial institutions' operators who will use every loophole to make a buck. Surely those folks will be encouraged and empowered anew by the half-baked policy proposals such as the measure before us. Congress is engaged in a high-risk gamble which in the end could facili-

tate irresponsible actions of some financial officers who will not give a second thought about the inability of the regulator to respond or leave the American taxpayer holding the bag.

Congressman KANJORSKI and I are not alone in expressing reservations about the impact of these initiatives on the safety and soundness of the insurance fund. In discussions with the regulators, numerous questions and issues have been raised. Questions such as whether a "cease and desist" order constitutes a rulemaking action or whether the three separate legislative proposals slated for action will add a political tenor to the rulemaking process, have to date not been answered. I have sent letters to the banking, thrift, and credit union regulators seeking a full analysis of this proposal and others and the responses from each regulator supports the Kanjorski-Vento amendment; that is, the Office of Thrift Supervision, Office of the Controller of the Currency, the National Credit Union Administration, and the Federal Deposit Insurance Corporation.

Frankly, such considerations and answers should have been in place before any measure is considered on the House floor, and the necessary protection for the insurance fund should have been set in place. There should at least be open consideration today, not further different hurdles.

It's ironic that a proposal which purports to provide in-depth information about mandates and regulation to the Members of Congress to prevent missteps and problems has been so poorly conceived and considered by the committees and Members of this House. We owe it to ourselves and to the American taxpayer to know what we are voting on with regard to H.R. 5. Unfortunately that commonsense step was ignored in the helter skelter rush to meet a politically imposed deadline. How can we, in all candor and seriousness, advance a policy of legislative requirements when the process for consideration of the measure ignores or violates the commonsense deliberate consideration of the measure.

Mr. Chairman, even with the power and authority regulatory agencies may not act, but that power shouldn't be caused by a legislative act which impedes the agencies' action. The time honored and proven need for responsive regulatory action is more needed today than in the past. Congress should understand its limits and the impact of law that is being proposed today.

Mr. Chairman, as Members of Congress, we have a responsibility to support the viability of the deposit insurance fund. If we fail to include the Kanjorski-Vento amendment, we will be shirking that responsibility. I urge a vote for the taxpayer, a vote for common sense, and a vote for the Kanjorski-Vento amendment.

□ 1130

The FDIC and these other agencies receive a lot of scrutiny on the part of the Members of Congress and the constituents which they regulate. It is absolutely impossible for us to function without a sound role. It may be a leap in faith for some of my colleagues to assume that some regulation is necessary and some mandates are needed. However, it does not take much of an understanding of history of financial institution regulation to agree with the absolute need for this Kanjorski-Vento amendment that is before you.

The majority of my colleagues who were not in this body at that time during the S&L debate, I would like to share with you two painful lessons. One is that we, in considering any legislation, safety and soundness of the deposit insurance fund and of the financial institutions needs to be first. The American taxpayer is who you are protecting.

Second, there are some financial institution operators who will use every loophole to make a buck. Surely these folks will be encouraged and empowered by this half-baked policy that we have before us today.

I urge my colleagues to support this amendment.

LEGISLATIVE PROGRAM

Mr. GEPHARDT. Mr. Chairman, I ask unanimous consent to strike the last word to engage in a colloquy with the majority leader.

Mr. DINGELL. Mr. Chairman, reserving the right to object, and the gentleman from Massachusetts and the gentleman from California also reserve the right to object.

Mr. Chairman, I have some questions I would like to ask of the leadership of the majority under my reservation.

I note that one of the items that is scheduled is an amendment to the rules of the House. Am I correct on that?

Mr. ARMEY. If the gentleman will yield, that is correct.

Mr. DINGELL. Further under my reservation, I note that that change in the rules of the House has not been subject to hearing in the Committee on Rules; is that correct?

Mr. ARMEY. As near as I understand, there has been some discussion, but the resolution will be brought under an open rule.

Mr. DINGELL. Continuing under my reservation, I note that there have been no hearings in the Committee on Rules on this matter; is that correct?

Mr. ARMEY. It may be. I would check with the Committee on Rules if my curiosity compelled me.

Mr. GEPHARDT. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I have a couple of more questions. I will be delighted to yield to the minority leader if he desires as long as I can continue my reservation.

Mr. GEPHARDT. If the gentleman will yield, I would be happy—

The CHAIRMAN. We are proceeding under rather irregular procedure here. The gentleman from Missouri had requested unanimous consent to proceed out of order.

Is there objection to the request of the gentleman from Missouri?

The Chair is prepared to recognize the gentleman from Missouri, who may then yield.

Mr. DINGELL. Mr. Chairman, I would observe to you, there is no other way I could get the floor to discuss something which is going to happen on Monday next, on which there has been no notice, on which there has been no opportunity for hearings, which is significantly going to change one of the rules of the House.

Mr. GEPHARDT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. If the gentleman could ask the gentleman from Missouri to yield to him, then we would be in more regular procedure.

Mr. GEPHARDT. Mr. Chairman, I would be happy to yield to the gentleman after I have asked the questions of the gentleman from Texas.

Mr. DINGELL. Then if the gentleman will be permitted to yield to me, I will withdraw my reservation, because my desire is to be cooperative.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. GEPHARDT. Mr. Chairman, I ask the gentleman from Texas, the majority leader, for the schedule for next week.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman for yielding.

Let me if I may give you the meeting times for next week. Then I will talk about what we are likely to consider.

On Monday, we will meet for morning hour at 12:30. Legislative business will begin at 2. Votes will be postponed until after 5.

On Tuesday, morning hour is at 9:30. Legislative business will begin at 11.

On Wednesday, legislative business will begin at 11.

Thursday and Friday, legislative business will begin at 10.

On Monday, if I can go to the program, what we will be considering, on Monday we will take up House Resolution 43, clarifying how committee hearings are scheduled. This will be done under an open rule. Then we will return to consideration of H.R. 5, unfunded mandates.

On Tuesday, if it is necessary, we will continue consideration of unfunded mandates. We will then take up, subject to a rule, House Joint Resolution 50, the Robert J. Lagomarsino Visitors Center;

H.R. 101, subject to a rule, the New Mexico land transfer;

H.R. 400, subject to a rule, Arctic National Park and Preserve land exchange;

H.R. 450, subject to a rule, Butte County, CA land transfer;

And then as soon as we can and hopefully on that day we may begin proceeding on H.R. 2, line-item veto legislation, of course, subject to a rule.

Mr. GEPHARDT. May I ask the gentleman how late you expect the session will run on Monday?

Mr. ARMEY. Because we cannot begin actually voting until 5 out of deference to the travel schedules, Members are advised to be prepared to stay late, as late as 8 or 9 on Monday evening.

Mr. GEPHARDT. Would that be true for the rest of the week as well, or does the gentleman know how long we intend to be in session on Tuesday, Wednesday, Thursday, and Friday?

Mr. ARMEY. Again I think to a large extent that would depend upon how smoothly the work goes, how close we may be approximating the completion of important business. We will have to just project as we go along.

Mr. GEPHARDT. Can the gentleman tell me how late we may meet on Friday?

Mr. ARMEY. On Friday, we will try, and expect to adjourn at 3.

Mr. GEPHARDT. I would like to ask two other questions.

One, I note that we have a number of bills on the schedule for the New Mexico land transfer, Arctic National Park, Butte County, and Robert J. Lagomarsino Visitors Center.

In the past I know that we have done these kinds of bills under a suspension calendar and they take less time, and I know that you are trying to get a lot of important work done. These are subject to a rule and will take more time because of that.

Can the gentleman tell me why this would be the case?

Mr. ARMEY. Of course as the gentleman understands, we have made a commitment to openness. We always understood that that would require more time on this and a variety of other legislative efforts, such as H.R. 5 is proving to be the case.

It is our belief that this helps us to demonstrate our commitment to openness.

Mr. GEPHARDT. I just say to the gentleman, I am not trying to be argumentative, but we had a rules package, a compliance package and a balanced budget amendment that were not under open rules. I hope we will not get into a pattern where less important legislation, not that it is not important, such as the Arctic National Park, will be under an open rule when there really is not a need for more debate and more important matters will not be.

Let me just ask one additional question. I have seen in the press that the

so-called A-to-Z bill would be coming to the floor.

Could I ask the gentleman if that is intended, and if so when that might happen so Members could be prepared for that important legislation?

Mr. ARMEY. As the gentleman may recall from his own experience as being the majority leader, the press often knows better than we. I will check with my sources for the press and try to confirm any story you have read. To my knowledge, there is no such legislation scheduled for the floor.

Mr. VOLKMER. Mr. Chairman, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Missouri.

Mr. VOLKMER. I appreciate the gentleman yielding.

It will not take long. I would just like to clarify the schedule for Monday. If I may ask the floor leader, the majority floor leader, I just want to clarify something in my own mind for Monday afternoon:

H.R. 43, is that to be taken up at 2 p.m., when we go in at 2 p.m.? Is that to be taken up at 5 p.m.?

Mr. ARMEY. It will be brought up and with an anticipation again that either procedurally we will confine our efforts or within our procedures, roll our votes so that no Member would be hazarded by a vote being called before 5 p.m.

Mr. VOLKMER. In other words, we would be taking up the rule on H.R. 43 after the 1-minute on Monday. We would then, if there is a vote on the rule, have that postponed. And then, since it is an open rule, if there are any amendments to it of which votes are requested in the Committee of the Whole, in the Committee of the Whole I do not believe you can roll votes.

Mr. ARMEY. The gentleman is absolutely correct.

Mr. VOLKMER. Let me inquire of the Chair. We would have votes in the Committee of the Whole and I would like to ask if those could be rolled until later on in the evening.

The CHAIRMAN. That would take a separate unanimous-consent request in the House as in Committee of the Whole for amendments.

Mr. VOLKMER. That would take a separate request. All right. And then those would have to be rolled until the evening also if that request is granted. Was that a unanimous-consent request?

The CHAIRMAN. That is correct.

Mr. VOLKMER. If there is no unanimous-consent request, it is my understanding that the votes that are in the Committee of the Whole on H.R. 43 during the afternoon would have to be voted on at the time that they are called?

Mr. ARMEY. That would be absolutely correct if they were in the Committee of the Whole before 5 p.m. and a vote was ordered. The gentleman

should rest assured that no Member of this body will be asked to come to this floor and stand for a vote that will occur before 5 o'clock on Monday.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. MILLER of California. On that point, a point of clarification. You mentioned that the rule, if a vote is called on the rule, then I assume business would be postponed until that vote on the rule can be taken, and then go forward with the bill.

□ 1140

Mr. ARMEY. That would be correct. We would anticipate no vote being called on what will be and is an agreed-upon open rule.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. VOLKMER. The statement is made that we will be taking up a bill without a rule being adopted.

Mr. MILLER of California. If a vote is asked for on the rule, then business will cease at that point, and you will have to come in after 5 o'clock to vote on the rule and then proceed on the bill.

The CHAIRMAN. Did the gentleman address his parliamentary inquiry to the Chair or to the gentleman from California?

Mr. MILLER of California. I need the right ruling here.

Mr. VOLKMER. I think the gentleman is right, but I did ask the Chair and I would appreciate a ruling from the Chair.

If you have a rule and a vote requested on a rule and that is postponed until 5 o'clock, can the bill be proceeded on in the Committee of the Whole without the rule being adopted?

The CHAIRMAN. Under that procedure, the rule must first be adopted.

Mr. VOLKMER. I thank the Chair very much.

Mr. GEPHARDT. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I would like the attention both of the distinguished chair of the Committee on Rules, for whom I have the greatest affection, I wish to inform the distinguished majority leader. I note that on Monday the scheduling is House Resolution 47 clarifying what committee hearings are to be scheduled, is up under open rule; is that correct?

Mr. ARMEY. That is correct.

Mr. DINGELL. Have there been any hearings on this matter in the Committee on Rules?

Mr. ARMEY. Is the gentleman addressing this question to myself or to the distinguished chairman of the Committee on Rules, for whom he has great respect.

Mr. SOLOMON. Who has the time?

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SOLOMON. I thank the distinguished minority leader, and I got it right that time.

Mr. GEPHARDT. Thank you.

Mr. SOLOMON. I would just say to the gentleman we have under the rules of this House for many years allowed the chairman of the committees, and I have served on many of these committees, I served on Transportation, I served on Foreign Affairs and Veterans' Affairs, and the chairman of the committees have always called the hearings, after due notice to the members.

We simply are following through with what has been a precedent of the House, even though there has been a rule that was different, and we are going to try to correct the rule on the floor on Monday.

As far as I understand, you had a problem with some kind of hearings, but I gave your ranking member of the Committee on Rules 48 hours notice when we were going to discuss this rule. If the gentleman had wanted a hearing he could have asked for one. We had a legitimate markup on it. We are going to bring it to the floor either as a privileged resolution, out of deference to the minority ranking member, he proposed to have an open rule. We are going to have an open rule. That is the new instructions I have from the Speaker of the House, Mr. GINGRICH, to try to be as open and fair and, as accountable as possible and we intend to do that.

Mr. GEPHARDT. I yield to the gentleman from Michigan.

Mr. DINGELL. The distinguished gentleman from New York is, of course, as always right. But this time regrettably only partly right, because the way the rules work the notice is given by the committee. Now this would change it so that both the notice and the discretion as to the handling of the notice lie in the chairman of the committee. There is no collegiality in the question of waiver. I have no objection to requiring the chairman of the committee to give notice. I think that is fine, and if the gentleman wishes to clarify that part of his concerns with regard to ambiguity that is fine.

But, I think that it is important that the collegiality of the waiver should continue.

And I would observe to my good friend that during the dozen years that I have run a committee around this place that it was always my practice to consult most carefully with the Republicans when they were in the minority and that they had no objection to when and how that question was waived.

The rule, for the protection of the minority now, and did before, and prior to this change, required that the minority have opportunity to participate

in the question of whether the waiver was going to be given with regard to the 7-day notice.

Now there is a strong reason why this is the rule. First of all, the minority has need first of all to know what the majority intends to do. Second of all—

PARLIAMENTARY INQUIRY

Mr. ARMEY. Mr. Chairman, may I make a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ARMEY. Mr. Chairman, are we anywhere near regular order here?

The SPEAKER pro tempore. The gentleman from Missouri received permission to proceed out of order. He controls the time. The Chair has been treating this as not operating strictly within a particular timeframe as is the custom for this weekly procedure; it is rather open ended.

Mr. ARMEY. I thank the Chair.

The SPEAKER pro tempore. The gentleman from Missouri controls the time.

Mr. DINGELL. If the gentleman will continue to yield, I am only stressing what was a matter of concern to the minority, and it was a matter of concern which I respected in my actions during the day I was committee chairman, and that was to see the minority was fully informed and that questions like waiving of notice were always carefully and fully discussed, and that the minority was fully satisfied with regard to these matters.

This is being changed. I have no objection, I reiterate, to changing the rule so that the minority, rather so that the chairman may call the meeting. That is fine and I understand the gentleman's concern, and I am going to be accommodating on that.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield.

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SOLOMON. To answer briefly.

Mr. DINGELL. I have never been able to get to the point of my concern, and I want to share it with my good friend from New York, for whom I have enormous respect, I want you to know.

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. DINGELL. The concern I have, the question of waiver is never laid before the committee and there is a strong reason for this. I want my colleagues to understand. The minority has from time to time desired to put, to bring witnesses before it, which without adequate notice they cannot do, that have to come from different parts of the country, sometimes from abroad and sometimes from places as far away as Alaska and California.

Having said that, there is also the problem that for the minority to ask for a day's hearings we have to do it during the time that the hearings are

actually going on. And if they do not have time to do these things, the minority is effectively stifled.

The CHAIRMAN. The gentleman from Missouri yielded to the gentleman from New York.

Mr. GEPHARDT. I yield to the gentleman from Texas.

The CHAIRMAN. He now yields to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I want to thank the gentleman from yielding to me and also thank him for his generosity first to the gentleman from Michigan and even to the gentleman from New York.

But, Mr. Chairman, Mr. Leader, what we have here is a very spirited preview of the debate that is actually in fact scheduled for next Monday, and I am sure that the gentleman from Michigan [Mr. DINGELL] could make those remarks much more effectively within that context of that debate at that time. I know we are anxious to get back to H.R. 5, but if I can again assure the gentleman from Michigan that we have an open rule, and he will have ample opportunity to debate the merits of the proposition within that time on Monday, perhaps we can move on here.

Mr. GEPHARDT. If the gentleman will yield back to me, I think what the ranking member is trying to get across is that perhaps the ranking member on the Committee on Rules did not ask for a hearing on this. I do not know what transpired. But I think you are seeing there is a tremendous amount of concern among our ranking members about this rules change and, indeed, when it comes to the floor on Monday I think you can expect that there will be a long and contentious debate and probably many amendments to be offered and the majority just needs to be aware of the amount of concern.

Mr. Chairman, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. I want to thank the gentleman for yielding. If I could address a question, I do not know which of the parties, chairman of the Committee on Rules or the majority leader, but as I understand, because this is the first time I have seen this legislation, the bill you will be bringing to the floor, under the current system of the rules require that the committee give notice of a hearing within 7 days.

Mr. SOLOMON. Within 7 days.

Mr. MILLER of California. That has been worked out traditionally under previous practices, Mr. YOUNG and myself, we talked about it and it would be fine. But it was about whether or not a hearing would be held, and 7-days' notice.

As I understand this legislation, this will collapse the 7-day timeframe from 7, that is what we need to know, from 7 to 2; is that what it is?

Mr. SOLOMON. No; and I am trying to tell you. I cannot be recognized.

□ 1150

Mr. MILLER of California. So that is what I need. What you are saying is that House Resolution 43 would simply clarify that it is the prerogative of the Chair with consultation?

Mr. SOLOMON. And nothing else changes.

Mr. MILLER of California. To call the hearing, but the 7-day protection for the minority continues, as it does under current rules? Is that correct?

Mr. SOLOMON. That is absolutely correct. If someone would yield to me.

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SOLOMON. Let me just briefly read the change. All right. "The Chairman of each committee of the House except the Rules Committee," I am exempting ourselves which is under the present rules, "shall make public announcement of the date, the place, and subject matter of any committee hearing," and listen to this now, JOHN, "at least 1 week before the commencement of the hearing."

Now, that is exactly what we are doing now. We are substituting the committee for chairman, and we are doing nothing different than what we were doing before. I have also made offers to the gentleman from Massachusetts [Mr. MOAKLEY] for compromises which would even alleviate further the concerns of the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Will the gentleman yield further?

Mr. GEPHARDT. I yield to the gentleman from Michigan.

Mr. DINGELL. This language of this says that the chairman, not the committee, may determine that there is good cause to begin the hearing sooner. The committee has no say whatsoever in this matter.

Now, I have no problems with allowing the chairman to send out the announcement. That is one of the concerns of my good friend from New York, but I have great objection to not allowing adequate notice to the members of the committee about holding this matter more quickly. This has been something that has always been very jealously guarded by the minority. The gentleman from New York will remember that, as will the gentleman from Texas, the majority leader. I understand that.

This is simply a question of basic fairness, because members have to have the time and ability to prepare to produce witnesses, to do things necessary for the orderly operation of the committee, and for their proper participation. I seek no advantage. I seek only fair treatment. I know the gentleman, because of his sense of fairness, is going to give it to me.

I hope he understands the point I am raising. The point I am raising is not objection to the fact the chairman sends out the notice. The objection I

raise is the question is the chairman may then essentially, because of the language, the way the resolution is written, simply waive that without any recourse by members of the committee. Then the members of the committee, the ranking minority member, the minority will have no opportunity to solicit witnesses, to prepare for testimony, to prepare themselves to ask questions or to do any of the other things that are necessary including asking for the day's hearings, which is one of the treasured rights the gentleman from New York during his days in the minority so vigorously and properly defended.

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. MILLER of California. I am seeking clarification. I appreciate it.

This may save time on Monday. But as I read the language, I think the characterization by the gentleman from Michigan may be correct, because it says you have 1 week, but it says then the chairman determines if there is good cause to begin sooner. That collapses the 7-day protection.

I know it seems a long time since you guys were in the minority, but—

Mr. SOLOMON. I cannot even remember it.

Mr. MILLER of California. Let us go back to those days of yesteryear when you wanted to make sure your rights and the right of the public to participate in these hearings was protected. Could the gentleman clarify that?

Mr. SOLOMON. If the gentleman would yield further, I will be glad to. We are doing nothing in this language but substituting the word "committee" for the word "chairman"; and right now, JOHN, the committee has the right to waive the 7 days.

Mr. MILLER of California. That is a committee vote.

Mr. SOLOMON. They have that right. All we are doing is changing that.

Mr. DINGELL. That has always been required to be done by the vote of the committee. It was done by the vote of the committee, not by the whim of the chairman, and that is the change that I find so difficult.

Mr. GEPHARDT. I yield to the gentleman from California.

The CHAIRMAN. The gentleman from Missouri yields to the gentleman from California.

Mr. MINETA. I thank the leader for yielding.

Mr. GEPHARDT. This will be one of the last two.

Mr. MINETA. One of the things that does bother me—there are two things, I guess I should say. First of all, that there were no hearings at the Rules Committee on this issue. And, second, our distinguished majority leader says that this is a preview of the vigorous debate that would occur on the floor on Monday.

The problem, I think, is that there is a public interest in this issue as well,

and the public will not have an opportunity to make their views known on this, because the public cannot speak here on the floor, and that is why, and when I first heard about this, I then asked the Chair of the Committee on Rules to hold a hearing on this, because I think, as has already been clearly pointed out, the rule has always existed. It has always been worked out on a mutual-consent basis with the minority, but this eliminates totally the ability to have that, either the waiver and the vote of the committee to protect a minority status. You always had that, and to the extent that we were going to be arbitrary, you could always force the vote in committee.

But now we do not even end up with that protection. I think both hearings at the Committee on Rules would be something that is needed and desirable, because we will not be able to get the public input on this issue.

I thank again the distinguished minority leader for yielding me time.

Mr. SOLOMON. Discuss it on the floor Monday.

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. MILLER of California. I appreciate it. And I thank the gentleman for yielding, but I appreciate it that when we try to exercise the rights of the minority, and I think I see my chairman on the floor, the gentleman from Alaska [Mr. YOUNG].

In the running of the Committee on Natural Resources, the minority was constantly protected as to witnesses, as to time, and amendments. We sat there late at night. We sat there days on end, because I believe in that process, and I brought an open rule to this floor every time I brought a bill, and as many Members like to remind me from time to time, they spent almost 30 hours on this floor, 8 or 9, 10 days on the California Desert. That is because no matter how contentious and no matter the fact that I had the votes on the matter, we decided we would give everybody a right. That was the same process that was followed in the committee.

But now all of a sudden what we see is a complete collapsing, a complete collapsing of not only the rights of the minority in this House, and that is interesting, and that is troublesome, and that is real problems for us. We will deal with that.

But we also see a complete collapsing of the right of the public to participate, to know about, to anticipate, and to comment upon hearings that can be scheduled, because under this bill, the chairman can unilaterally decide that a hearing will be held in 1 day or in 2 days. This is a House that is being run under a Speaker who is proud of the fact that he says it is the most open. It is not turning out to be that. This is a Speaker that is proud that we are on

the Internet. But yet you cannot get your witnesses to the hearing. You cannot prepare the members of your committee. You have no notification of hearing.

This is a continuation of a collapse of minority rights that we have seen. I feel I am justified to speak on this, because it never ever happened in my committee in all of the years that I was in control of it and in all of the years that my predecessor, Chairman Udall.

Why? Because we had respect for minority rights, and I used to talk to Members about the difficulty of serving on the minority.

But here we are. Let us understand in the Committee on Natural Resources yesterday, witnesses were arbitrarily cut off. Some were given 5 minutes. Some were given 3 minutes. Nobody told them what time. They just arbitrarily got tired of the testimony. They cut people off. Committees have adjourned arbitrarily because it was 6 o'clock. On the issues of constitutionality, committees were told they could not continue to offer amendments, because the chairman was tired in the committee; on unfunded mandates.

These are fundamental principles that concern the American public. Yet what we see is a continuation.

I realize power is heady. I realize power is corrupting of principles. But here we are starting to see it, ladies and gentlemen. What you are starting to see is they do not want the open debate. We can debate this on Monday. We are trying to determine what it is we will be debating on Monday so we can prepare our arguments. That is fundamental.

And the gentleman knows that. You know, he sat on the Committee on Education and Labor, and debate went on late into the night, because the right of Members to offer amendments from either party was guaranteed. We all knew that it caused difficulties with floor schedule, but Members had amendments, even if they knew they were going to lose on a straight party-line vote; they wanted their voices to be heard. That is what this institution, that is what this Constitution is about.

But it goes far beyond the floor of this House or the committees of this House. It goes to our constituents. It goes to the right of the public to be heard, the right of the public to participate in these hearings and to comment upon them, and you cannot do that with 1-day notice arbitrarily given.

That kind of advantage is corrupting of the openness principles of this institution, and I think we ought to understand, and I speak, I hope I speak, to those in the minority that you better understand that somewhere a line in the sand is going to have to be drawn on the right of you to protect your membership on these committees, your

rights to participate on these committees, and the right of your constituents and others in this country to be heard.

There is no need, there is no showing, there is absolutely no showing for the need to do this, because we have worked out committee hearing arrangements between majority and minority. One of the reasons you wanted to change it is because it has become accepted practice that we do it in consultation.

□ 1200

But what we have not done, what we have not done is collapse the 7-day protection for the minority to be prepared for that hearing.

You could be planning for a hearing as the chairman of the committee for months, announce it, and we would have 7 days. Under this proposal, if the chairman deems a reason to begin the hearing sooner, you can announce it in 2 days.

The CHAIRMAN. The gentleman from Missouri [Mr. GEPHARDT] controls the time.

Does the gentleman from Missouri continue to yield?

Mr. GEPHARDT. I yield to the gentleman for one additional short comment.

Mr. MILLER of California. Mr. Chairman, the American public has watched for the last 3 or 4 days the prosecution and the defense in the O.J. Simpson trial. What was one of the fundamental tenets in that trial that they are arguing about? The ability to be put on notice, the ability to be put on notice so that you could respond, so that you would understand the subject matter, the witnesses and the people that are to be drawn.

What this rule says is no, that the tools all belong to the majority here, they will arbitrarily decide a day or two, and they will collapse what has been a historical protection. There is only one way to read: "If the chairman of the committee determines that there is good cause to begin the hearing sooner." If you want to say if the committee determines there is good cause, have a vote in the committee, but that is a committee determination. You are in the majority. You ought not to be afraid of doing the public's business in front of the public.

Mr. GEPHARDT. I reclaim my time simply to say to the distinguished majority leader that I think you could tell from the concern expressed by these ranking members, which is deep and sincere, that it would be helpful if there could be a hearing on this before it is brought to the floor. But if there cannot be, I would strongly recommend that you bring up the rule at 5 rather than at 2, so that all the Members can be here for this debate.

Mr. Chairman, I yield to the gentleman from Texas [Mr. ARMEY], and then I intend to yield back the balance of my time.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Chairman, in light of what we have seen here, what promises to be an exciting day, one that I am certainly going to be here for, I should revise my earlier comments and advise the Members that they may be prepared to stay very late Monday evening.

I thank the gentleman for yielding.

The CHAIRMAN. Is there further debate on the amendments en bloc offered by the gentleman from Pennsylvania [Mr. KANJORSKI]?

Mrs. MALONEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, once again, Members are forced to take to the floor to rectify serious errors and omissions in H.R. 5. All of the major banking regulators have indicated that H.R. 5 might seriously impact their ability to protect the safety and soundness of America's banking system. You may have heard this before, but it bears repeating: The largest unfunded mandate of the past 20 years was inflicted by the States on the Federal Government in the form of the S&L crisis.

Federal taxpayers have had to pay out tens upon tens of billions of dollars to bail out the mess created, in large part, by State banking laws that left the Federal Government paying the tab. I would like to quote the comments offered by the Republican Chairman of the Senate Committee on Banking, Housing and Urban Affairs on this very issue: "I am concerned that imposing the requirements of unfunded mandates legislation on these Federal financial institution regulatory agencies could delay the issuance of prompt safety and soundness rules that affect federally insured financial institutions and credit unions and their deposit insurance funds."

The other body then unanimously adopted an amendment that is even more sweeping than the one that is before us today.

Do we in the House really want to possibly sow the seeds for a future banking crisis by possibly preventing or delaying the ability of our banking regulators to take action to protect the integrity of our banking system?

We can dispel all concerns and protect the taxpayers simply by passing this well-considered amendment.

Mr. VOLKMER. Mr. Chairman, I move to strike the requisite number of words, and I too rise in strong support of the amendment. As the gentleman from New York just pointed out, it is part—it is now an agreed-to part by even the majority Members over in the other body.

I do not understand why the proponents of the bill are in favor of not permitting our financial institution regulators from being able to do emergency legislation on financial institutions because they may be unsound or

operating improperly and therefore, under this legislation, without this amendment, would permit these financial institutions to continue to operate and bilk the public, and the public is the one that is going to be the big loser.

There is a potential that you have something worse than we ever had under the savings-and-loan fiasco, but I must remind people that that occurred under a previous administration, also, and perhaps there were not proper things done at that time. Maybe that is the way that the proponents of the legislation want it. Maybe that is the reason that they feel that the savings and loans and the financial institutions, the banks, et cetera, should be able to operate in any willy-nilly way they want to operate and to heck with the depositors.

One thing before I yield that I would like to comment on, too: Earlier, when we started on this bill today, there was an effort by the gentleman from Pennsylvania to insert 20 minutes on each side on all amendments to this section, perhaps because the bill was not moving fast enough and because they considered there may be dilatory tactics on this side. But this amendment is not one of those. This amendment is not one of those. This amendment is in the Senate bill, adopted in the Senate committee, or a similar one, not the exact amendment. It is a very proper amendment that will make this bill better. Make it something maybe that we could eventually vote for the whole bill.

The last point I would like to make is that the delay that occurred just a while ago on discussion of the schedule has delayed this bill for about 35 minutes. That never occurs except when we saw what is proposed to occur in that schedule. It is almost unbelievable.

I have been here 18 years, 18 years, I have never seen one Democrat ever propose that you reduce the hearing time from the 7 days. It has always been in the rules, always been in the rules.

And now that is going to be reduced because I know that when a majority decides to do something, they are going to run right over the minority because you are together. You have got votes, you win. If that is the way you want to do it, fine.

But once you do that, folks I want you to know that this gentleman is not going to just sit back and say, "Okay, run over me a second time," because you have already run over me more than once this session. I am not going to sit here and be run over and see the rules of this House being actually reduced to where it is an autocratic rule.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, I appreciate the gentleman's comments and concerns. I think common sense dictates this amendment would be adopted. You have not answered the questions with regard to differentials; the regulators themselves are telling you that they need this for the safety and soundness of the financial institutions of this country, for the deposit funds. To issue requirements or rules on accounting standards, on safety and soundness with regard to capital standards and derivatives. How in all good conscience can this House disregard these particular concerns? I would think that no matter the ideology and concerns about unfunded mandates, these regulators said, "We need these tools, and we will operate with them." I can assure you because oversight would occur, how can you differentiate between leaving some agencies in and out because of the way they are organized? It just stands logic on its head. I strongly urge Members of this House, as Senator D'AMATO, chairman of the Banking Committee, has accepted an amendment, to much greater extent in the other body. I think this should be a signal of an issue that is quite different than some of the others that have been considered by this House and would urge, strongly urge, positive action on this particular amendment.

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Ohio.

Mr. PORTMAN. I thank the gentleman for yielding.

Mr. Chairman, just one quick clarification with regard to the Senate amendment. It has strictly to do with title II, so it is not more broad nor more sweeping than this amendment, and in fact, it is more narrow than this amendment.

□ 1210

Mr. VOLKMER. This amendment, if I remember right—

The CHAIRMAN. The time of the gentleman from Missouri [Mr. VOLKMER] has expired.

(By unanimous consent, Mr. VOLKMER was allowed to proceed for 1 additional minute.)

Mr. VOLKMER. Mr. Chairman, I believe the gentleman has offered it en bloc. Am I correct in that?

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, that is correct.

Mr. VOLKMER. So this amendment is to the proper section all rolled; right?

So, I am sorry, gentlemen. This amendment is to section 2 also.

Mr. VENTO. Three.

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Chairman, this is part of the exemption of section 4 which would apply to the entire bill and not just to section 2. The Senate amendment only applies narrowly to the section to title II which is the regulatory section we discussed earlier.

Mr. VOLKMER. I ask the gentleman, "Are you telling me that, if we offered the amendment to the section 2 or section 3, that you would have accepted it then?"

Mr. PORTMAN. No, I am saying that the Senate amendment is not overly broad or more sweeping. In fact it is more narrow than this amendment.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. To the gentleman from Ohio [Mr. PORTMAN] the Senate is not, as I am not, worried about the point of order question here. They do go to the regulatory question, and that is what I am disturbed about, and again I appreciate the effort that the new majority Members have made in trying to familiarize themselves with our problem here, but the gentleman from Virginia [Mr. DAVIS] I know is just a new Member, and the gentleman from Ohio [Mr. PORTMAN] is a new Member, and I say to them, "You don't remember the fact that in the 1980's it was the regulators of the States that caused the Federal insurance fund to come to their rescue, and it was only because when we refrained from the proper control of State banking that we allowed this to happen. But now through this legislation we are wheeling away the ability of the Federal regulators to protect Federal taxpayers and the full faith and credit of the United States from being misused, abused, and in some instances fraudulently abused. Let me call your attention—

Mr. DAVIS. Would the gentleman yield?

Mr. KANJORSKI. In one moment I will.

One hearing we held in San Francisco in the late 1980's, the State regulators of California's S&L's with great disdain took the witness stand and testified that in his first year in office it was his mandate for economic development purposes to issue new charters to S&L's, and with pride he said he issued more than 200 charters that very year. Most of those S&L's in California that he chartered subsequently failed at great cost to Federal taxpayers.

He also said, as the State regulator, that he only had eight investigators who could ever regulate those institutions that were under State regulation in California, many hundreds besides the 200 new charters that he had issued. California, Texas, and Florida together

accounted for more than two-thirds of the S&L's that failed in this country, and it was because of the failure of the State regulators to properly regulate State chartered institutions and to properly protect the federally insured Federal deposits that tens of billions of Federal insurance was ultimately paid out by the American taxpayer.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from Virginia.

Mr. DAVIS. I would like the gentleman to respond to a couple of concerns that I have.

First of all, it is my understanding that the Office of the Comptroller of the Currency and the Office of Thrift Supervisor have never issued safety and soundness regulations on an emergency basis. If the gentleman has different information, I would be happy to hear that—

Mr. KANJORSKI. Reclaiming my time, we are not talking on emergency basis here. We are talking about—

The CHAIRMAN. The gentleman from Illinois [Mrs. COLLINS] controls the time.

Mr. KANJORSKI. Mr. Chairman, will the gentleman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. The gentleman from Illinois [Mrs. COLLINS] is giving me the time.

We are not just talking about emergency situations here. We are talking about the normal regulatory process as well. For example, we are about to have a HUD agency issue regulations on capital accounts for Freddie Mac and Fannie Mae, controlling perhaps three, or four, or five hundred billion dollars.

Now they are not going to do that because they want to have activity downtown.

Mr. DAVIS. Sure.

Mr. KANJORSKI. They are doing that because there is a question of whether or not there is sufficient capital to support the extensive amount of mortgage activity in the secondary market.

Mr. DAVIS. I understand.

Mr. Chairman, will the gentleman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from Virginia.

Mr. DAVIS. But there is nothing here that stops them from going ahead and doing that now?

Mr. KANJORSKI. No, there is, and the gentleman does not understand it because we have not denied judicial review in this bill, and in fact there is judicial review in this bill. For any regulation that is issued, we are granting any bank or institution, whether State or federally chartered, the right to raise the question of whether or not there has been sufficient compliance with the standards for economic analysis that we have required in this bill.

Mr. DAVIS. Mr. Chairman, if the gentlewoman would continue to yield, I understand the gentleman. I disagree with that. We will argue this later when the judicial review comes up, but there is always judicial review under the Administrative Procedure Act down the road, and we will argue this—

Mr. KANJORSKI. The existing judicial review goes only to capriciousness and unreasonableness. It does not go to the standard of whether or not they complied with the requirements of cost analysis. We are adding here in this bill an entirely new arm and an entirely new set of information that can be attacked.

Now, the gentleman's problem—let me say what his problem is.

You have got institutions worth hundreds of billions of dollars with law firms and inside counsel that have nothing else to do but to test regulatory authority and properness in the issue of regulations, and we have seen—I mean it's not like we're saying, "Could this happen?" We're not saying, you know, "Is it an outside possibility?" In the 1970's, in the 1980's, we saw it happen to the extent we almost saw a total collapse in the financial institutions of this country.

The CHAIRMAN. The time of the gentlewoman from Illinois [Mrs. COLLINS] has expired.

Mr. SCHIFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the proponents of this amendment are now not talking about emergency situations, there is absolutely no reason why the accountability required for other agencies in this bill should not equally apply to the agencies we are talking about just because they are in the area of financial institutions.

Further, it is my understanding from a personal view and also after again consulting with the majority of the House Committee on Banking and Financial Services, that in real emergencies the Federal regulatory agencies do not respond by rule making. They respond by issuing a cease and desist order to promptly stop.

The fact of the matter is there is nothing here in this bill which addresses cease and desist orders. There is nothing here that prevents the Federal agencies from immediately stopping any action of an institution under their purview which is, in fact, endangering the economic health of that institution, and therefore the emergency remedies are still present, and I think that the arguments amount to more of a scare tactic than I think anything that is practical that is presented in H.R. 5.

Mr. KANJORSKI. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, if this is such scare tactics, and, first of all, if this is so innocuous, but opposed by the banking majority, I ask the gentleman, "Why aren't any members of the Banking Committee here in the majority arguing this proposition?"

I ask a second question:

"If this were just scare tactics, why are all regulators of all Federal institutions, depository funds and all banks, and all markets, opposed to this legislation?"

This is not emergency, and let me go one step further:

"If that's the case, why is it so bipartisan that the chairman of the Banking Committee, a Republican in the Senate, has recognized the possibility of what we are talking about today? Why is the House of Representatives, who represents the people and the depositors of America, failing to recognize that in a bipartisan way Senator D'AMATO of New York, the chairman of the Banking Committee, recognizes this as an important amendment, an important factor, as inserted in the bill in the Senate side?"

I have to get the feeling that—

Mr. SCHIFF. Reclaiming my time from the gentleman, I think the gentleman has made his point. I am glad to hear the gentleman has such confidence in the respected chairman of the Senate Banking Committee, that we can now refer to him each time he proposes a bill or an amendment on a subject and expect to get the gentleman's support.

Mr. KANJORSKI. If the gentleman would yield, I have had the pleasure of dealing with Senator D'AMATO for years, 10 years I have been in Congress, in conference reports on banking, and I have just cosponsored with him the new expanded secondary market and small business in the last Congress, and I think—

Mr. SCHIFF. Reclaiming my time—

Mr. KANJORSKI. Senator D'AMATO has done outstanding work.

Mr. SCHIFF. Reclaiming my time from the gentleman, as I said, I am certain that when other proposals are made from the respected and distinguished chairman of the Senate Banking Committee they will receive on the floor the gentleman's support also.

But I have consulted with the chairman of the House Committee on Banking and Financial Services, whom I also respect, who again reiterates that a cease and desist order is the manner of addressing real emergencies, and they simply are not affected in any provision of this bill.

□ 1220

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania [Mr. KANJORSKI].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. KANJORSKI. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 266, not voting 14, as follows:

[Roll No. 53]

AYES—154

Abercrombie	Gonzalez	Oberstar
Ackerman	Gordon	Obey
Baldacci	Green	Oliver
Barcia	Gutierrez	Orton
Barrett (WI)	Hall (OH)	Owens
Becerra	Hastings (FL)	Pallone
Beilenson	Hefner	Pastor
Bentsen	Hillard	Payne (NJ)
Berman	Hinchee	Pelosi
Bevill	Holden	Rahall
Bonior	Hoyer	Rangel
Borski	Jackson-Lee	Reed
Boucher	Jacobs	Reynolds
Brown (FL)	Johnson (SD)	Richardson
Brown (OH)	Johnson, E. B.	Rivers
Bryant (TX)	Johnston	Roybal-Allard
Cardin	Kanjorski	Sabo
Clay	Kaptur	Sanders
Clayton	Kennedy (MA)	Sawyer
Clement	Kennedy (RI)	Schroeder
Clyburn	Kennelly	Schumer
Coleman	Kildee	Scott
Collins (IL)	Klink	Serrano
Collins (MI)	LaFalce	Skaggs
Conyers	Lantos	Slaughter
Coyne	Levin	Spratt
Danner	Lewis (GA)	Stokes
DeFazio	Lipinski	Studds
DeLauro	Lofgren	Stupak
Dellums	Lowe	Thompson
Deutsch	Luther	Thornton
Dicks	Maloney	Torres
Dingell	Manton	Torricelli
Dixon	Markey	Towns
Doggett	Martinez	Trafficant
Doyle	Mascara	Tucker
Durbin	Matsui	Velazquez
Engel	McDermott	Vento
Eshoo	McHale	Visclosky
Evans	McKinney	Volkmer
Farr	Meehan	Ward
Fattah	Meek	Waters
Fazio	Mfume	Watt (NC)
Fillner	Miller (CA)	Waxman
Foglietta	Mineta	Williams
Ford	Minge	Wise
Frank (MA)	Mink	Woolsey
Frost	Moakley	Wyden
Furse	Mollohan	Wynn
Gedjenson	Murtha	Yates
Gephardt	Nadler	
Gibbons	Neal	

NOES—266

Allard	Burr	de la Garza
Andrews	Burton	Deal
Archer	Buyer	Diaz-Balart
Armey	Callahan	Dickey
Bachus	Calvert	Dooley
Baessler	Camp	Doollittle
Baker (CA)	Canady	Dornan
Baker (LA)	Castle	Dreier
Ballenger	Chabot	Duncan
Barr	Chambliss	Dunn
Barrett (NE)	Chapman	Edwards
Bartlett	Chenoweth	Ehlers
Barton	Christensen	Ehrlich
Bass	Chrysler	Emerson
Bateman	Coble	English
Bereuter	Coburn	Ensign
Bilbray	Collins (GA)	Everett
Bilirakis	Combest	Ewing
Blute	Condit	Fawell
Boehlert	Cooley	Fields (TX)
Boehner	Costello	Flanagan
Bonilla	Cox	Foley
Bono	Cramer	Forbes
Brewster	Crane	Fowler
Browder	Crapo	Fox
Brownback	Cremins	Franks (CT)
Bryant (TN)	Cubin	Franks (NJ)
Bunn	Cunningham	Frelinghuysen
Bunning	Davis	Frisa

Funderburk	Linder	Roth
Gallegly	Livingston	Roukema
Ganske	LoBlundo	Royce
Gekas	Longley	Salmon
Geren	Lucas	Sanford
Gilchrest	Manzullo	Saxton
Gillmor	Martini	Scarborough
Goodlatte	McCarthy	Schaefer
Goodling	McCollum	Schiff
Goss	McCrery	Seastrand
Graham	McDade	Sensenbrenner
Greenwood	McHugh	Shadegg
Gunderson	McInnis	Shaw
Gutknecht	McIntosh	Shays
Hall (TX)	McKeon	Shuster
Hamilton	McNulty	Siskis
Hancock	Menendez	Skeen
Harman	Metcalfe	Skelton
Hastert	Meyers	Smith (MI)
Hastings (WA)	Mica	Smith (NJ)
Hayes	Miller (FL)	Smith (TX)
Hayworth	Mollinari	Smith (WA)
Hefley	Montgomery	Solomon
Heineman	Moorhead	Spence
Herger	Moran	Stearns
Hillery	Morella	Stenholm
Hobson	Myers	Stockman
Hoekstra	Myrick	Stump
Hoke	Nethercutt	Talent
Horn	Neumann	Tanner
Hostettler	Ney	Tate
Houghton	Norwood	Tauzin
Hunter	Nussle	Taylor (MS)
Hutchinson	Ortiz	Taylor (NC)
Hyde	Oxley	Tejeda
Inglis	Packard	Thomas
Istook	Parker	Thornberry
Johnson (CT)	Paxon	Thurman
Johnson, Sam	Payne (VA)	Tiahrt
Jones	Peterson (FL)	Torkildsen
Kasich	Peterson (MN)	Upton
Kelly	Petri	Vucanovich
Kim	Pickett	Waldholtz
King	Pomeroy	Walker
Kingston	Porter	Walsh
Klecza	Portman	Wamp
Klug	Poshard	Watts (OK)
Knollenberg	Pryce	Weldon (FL)
Kolbe	Quillen	Weldon (PA)
LaHood	Quinn	Weller
Largent	Radanovich	White
Latham	Ramstad	Whitfield
LaTourette	Regula	Wicker
Laughlin	Riggs	Wilson
Lazio	Roberts	Wolf
Leach	Roemer	Young (AK)
Lewis (CA)	Rogers	Young (FL)
Lewis (KY)	Rohrabacher	Zelliff
Lightfoot	Ros-Lehtinen	Zimmer
Lincoln	Rose	

NOT VOTING—14

Bishop	Fields (LA)	Pombo
Bliley	Flake	Rush
Brown (CA)	Gilman	Souder
Clinger	Hansen	Stark
DeLay	Jefferson	

□ 1238

The Clerk announced the following pairs:

On this vote:

Mr. Jefferson for, with Mr. DeLay against.

Mr. OWENS and Mr. GONZALES changed their vote from "no" to "aye." So the amendments were rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Chairman, I regret that I was inadvertently delayed in getting to the floor and, thus, was unable to vote on Rollcall No. 53, the Kanjorski amendments. Had I been able to vote I would have voted "No."

PERSONAL EXPLANATION

Mr. CLINGER. Mr. Speaker, official business kept me from the Chamber during the vote on the amendment offered by my col-

league from Pennsylvania, Mr. KANJORSKI. Had I been present, I would have voted "no" on rollcall No. 53.

□ 1240

The CHAIRMAN. Are there further amendments to section 4?

AMENDMENTS OFFERED BY MRS. CLAYTON

Mrs. CLAYTON. Mr. Chairman, I offer two amendments, numbered 7 and 8, printed in the RECORD, and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

Mr. SCHIFF. Mr. Chairman, I have no objection to that request, but I ask unanimous consent that all debate on this amendment be limited to 20 minutes on each side for a total of 40 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

Mrs. COLLINS of Illinois. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Is there objection to the request of the gentlewoman from North Carolina that the amendments be considered en bloc?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Mrs. CLAYTON: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) protects worker safety.

In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) protects worker safety."

Mrs. CLAYTON. Mr. Chairman, apart from the debate that has occurred on the floor of the House and the committee reports that have been filed, there is little or no legislative history on this bill. The reason there is little or no legislative history is because there have been no hearings on H.R. 5. Legislative history begins with hearings. It is through the hearing process that varying views are presented, issues are identified and critical questions are raised and answered.

If nothing else, the debate demonstrates that the language of the bill may well raise as many questions as it provides answers. Indeed, the minority views in the committee report states, "The haste in which this bill was considered left a number of substantive issues unaddressed, which even the authors conceded at markup that they would like to address on the floor." One such issue, which my amendments

seek to address, is the matter of workplace safety. My amendments would add the broad category of workplace safety to the list of "Limitations on application" found at section 4 of the bill.

Other amendments address specific workplace safety issues, such as child labor, pregnant women and the Family and Medical Leave Act. My amendments address all workplace safety issues. Mr. Chairman, I am not a lawyer, but I am told that in statutory interpretation cases before the courts, if there is a specific listing for coverage, the court is more likely to limit coverage to the specific listing rather than to "guess" at what Congress intended by expanding that specific list. In that case, language which includes specific listings, may well exclude intended listings. In any case, I don't want to leave any doubt.

Last week, I recalled a workplace fire in my State of North Carolina. Two hundred people were working in a chicken processing plant when a fire broke out, killing 25 of the workers. Most of those killed were single women, struggling to raise a family and make ends meet. North Carolina responded and doubled the number of inspectors for workplace hazards. Now, some will argue that Occupational Safety and Health Act laws are not unfunded mandates, because the Federal Government hires and pays the inspectors, unless a State volunteers to do so. They will also argue that the \$50 million trigger excludes OSHA coverage.

To those who would make that argument, I would respond, if OSHA laws do not apply, then what harm does it cause to accept the language of my amendment? I would further respond that the \$50 million trigger applies to "all Federal intergovernmental mandates in the bill or joint resolution." The point is, Mr. Speaker, if we amend OSHA, following enactment of this bill, in the absence of language protecting that workplace safety law, it is not inconceivable that Congress, the advisory commission created by the bill, the Director of the Congressional Budget Office or the courts, would interpret our changes as creating an unfunded mandate.

If we do not intend that consequence, why not say it? If OSHA and other workplace safety laws are not covered by H.R. 5, what's wrong with stating that? The best cure for ambiguity is clear and precise words—words that express "the plain meaning" of our actions. I do not believe that many would argue that child labor laws are intended to be the target of this legislation. Yet, there is no direct and certain language in the bill that supports that intent. My amendments, in plain straightforward terms, are designed to make clear that we intend to exclude workplace safety laws from coverage of this bill. Nothing more, nothing less.

Because there is no direct language in the bill related to workplace safety, the Unfunded Mandate Reform Act threatens to eliminate federal standards for workplace safety. Before passage of workplace safety laws, children were forced into adult work, 14,500 persons died, by accidents, on the job, and 2.2 million workers were disabled annually. Another 390,000 workers faced occupational diseases. We now protect children, and every working woman and working man from unhealthy and unsafe conditions on the job.

The issue of workplace safety is an issue which we in the Congress have a right, indeed a constitutional duty to protect.

The CHAIRMAN. The time of the gentlewoman from North Carolina [Mrs. CLAYTON] has expired.

(By unanimous consent, Mrs. CLAYTON was allowed to proceed for 30 additional seconds.)

Mrs. CLAYTON. Mr. Chairman, this is not a matter that should be rushed through and rubber stamped because some Members believe it is more important to make a point in 100 days than it is to save hundreds of lives. And, if it is to be pushed forward on a fast track, let's at least take the time to perfect this bill through the amendment process. We owe that to the children and workers of America. I urge passage of my amendments.

Mr. SHAYS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I believe that the proponent of this amendment is very sincere in her concern for worker safety, as she has demonstrated so often in the past. But I strongly rise to say that we oppose this amendment for the very reason that we opposed the interstate impact amendment on Friday, the 20th; on Monday, the 23d, the air pollution amendment, the airport safety amendment, the nuclear waste amendment, the minimum wage and child labor amendment, the radioactive substance and toxic waste amendment; and then on Tuesday, the 24th, for the same reason we opposed the amendment on age and on child molester data base and so on and so on, with all the various amendments that Members want to exclude from this bill.

□ 1250

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I am delighted to yield to the gentleman from Ohio.

Mr. PORTMAN. I appreciate the gentleman yielding.

One small point, again. I appreciate the concern of the gentlewoman from North Carolina.

Again, if we look at the amendment by the gentleman from Vermont [Mr. SANDERS] which we considered earlier in this debate, it does include, and these are amendments which we also considered en bloc, establishment of

minimum standards for occupational safety.

I would just say, Mr. Chairman, that it is my belief that in a sense we have already had a vote on this issue, and that we did vote on exempting establishment of minimum standards for occupational safety previously in this debate. That vote was, I believe, 161 yeas to 263 noes, so it was soundly defeated.

Mrs. CLAYTON. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I am happy to yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Mr. Chairman, I would suggest that though that has happened, they also included very specific language, wherein my amendment is very broadly structured to include workplace safety. This is consistent with the language, that the gentleman has said that it will not, indeed, jeopardize the safety and health of Americans. Therefore, if the gentleman means that, it simply says that the gentleman would include that. This is not inconsistent with what the gentleman is saying. He is just not putting it into the language.

Mr. SHAYS. If I could reclaim my time, Mr. Chairman, and I would be happy to ask for unanimous consent if we need more time, the point I would like to make, as someone who has sat on the Subcommittee on Employment and Housing of the Committee on Government Operations, which actually investigated the horrible event that took place that the gentlewoman is referring to with the processing plant, I am not aware that we passed new regulations, passed a new law, to deal with that issue. Mr. Chairman, we told OSHA to do its job better, and they did their job better, but it did not require us to pass new legislation to deal with it.

Mr. Chairman, I just think in one sense, dealing with that issue, there would have been no effect of this legislation as it related to that incident.

Mr. Chairman, I make another point to the gentlewoman. The fact is that this mandate bill is very clear that the very people that want to pass the bill to deal with a mandate, if it is not funded, the very people, the 50 percent who want to do that, can also be the very 50 percent who override the objection that it is not a funded mandate if in fact it is not a funded mandate.

We are constantly having to remind the other side that it is merely a simple majority that can overrule an unfunded mandate, so it is hard for me to understand how, if there is concern to bring a bill before the Chamber, and it has 50 percent of the vote because it is a real concern, why that 50 percent does not remain in cases like the gentlewoman's concern of a need to deal with a very serious worker issue.

Mr. Chairman, we are being redundant on this side, but I have weighed in so strongly in favor of OSHA. I happen

to be someone who supports OSHA. If I thought a bill came before us that deserved the merit, and we could not come up with the money for a variety of reasons, Mr. Chairman, I would vote to override the unfunded mandate based on that need. What we did on this side was guarantee that it was only 50 percent.

Mr. Chairman, I just make the point that we are constantly being told of specific concerns that Members have on that side of the aisle, and we have voted them down because we know that within the bill is the mechanism to deal with every one of those concerns.

Mr. CLYBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment, which will ensure that minimum Federal workplace standards will remain intact to protect the millions of Americans who work every day.

This amendment is simply about saving lives. Despite the enormous strides made in the workplace over the last 25 years since the enactment of the original Occupational Safety and Health Act, hundreds of thousands of workers are still at risk in the workplace.

I would remind my colleagues on the other side that in the OSHA regulations, as well as many other Federal regulations, especially in the civil rights area, there is a deferral procedure wherein States and localities are in fact deferred to.

Now, Mr. Chairman, I want it to be clear that we are saying deferral here, and not referral. That simply means that in many instances we can defer to the States to establish their own procedures and their own regulations, and such was the case in North Carolina where that tragedy took place.

During the investigation what we found was that in many of those instances, the kind of inspections that were expected to be taken place at the State level did not take place. Therefore, I think, Mr. Chairman, that we need to make sure with this kind of legislation that we establish these kinds of floors, so no State or locality can go beneath them.

In 1970, Mr. Chairman, when OSHA was enacted, Congress considered these figures: Job-related accidents accounted for more than 14,000 worker deaths. Nearly 2½ million workers were disabled. Ten times as many person-days were lost from job-related disabilities as from strikes. Estimated new cases of occupational disease totaled over 300,000.

In terms of lost worker production, wages, medical expenses, and disability compensation, the burden on the Nation's commerce was staggering. OSHA had to be enacted or we would have ended up with a net loss of billions of dollars from the gross national product.

Without explicitly exempting workplace safety laws from this legislation, we open up the possibility of OSHA and all workplace safety laws being considered as unfunded mandates.

All too often, Mr. Chairman, particularly in lower income and rural areas, as is much of my congressional district, some companies circumvent and violate OSHA laws and regulations, exposing employees to unsafe and unhealthy working environments. This amendment, Mr. Chairman, will at least allow minimum workplace guidelines to remain in place. Without this amendment, those who are least economically secure and who are less educated, and likely to be exposed to unfair, even inhumane working conditions, will be without protection.

Therefore, Mr. Chairman, absolving employers from current workplace laws would be a tragedy in light of the tremendous potential harm that would be brought to workers across the country. I urge my colleagues to support this important amendment.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this is a very good amendment. Let me state the reason why. Worker safety is critically important.

I can remember years ago, when there was not that much worker safety, that one of my relatives, a cousin, as a matter of fact, worked in a factory in the city of Chicago, and there was this machine that he was operating. There was not a guard on this machine that would protect him. He was standing there doing his work, and something jammed. He went to push this piece of material, whatever it was, into the machine, and he lost four of his fingers.

Those things happened a great deal in those days. This has been not that long ago. It has been a while since I was a young woman, but I was a little bit older than a kid. I remember how that impacted on me.

I remember, first of all, seeing him in the hospital, seeing him come home, and finding that my cousin, who was a favorite of mine, who had always treated me with a lot of love and affection, came in and when he got ready to hug me, I could not look at his face. All I could do was look at his hands, because I had heard my grandmother say he had lost his fingers. I had never heard of anyone losing their fingers before. That to me was a tragedy that I have never been able to forget.

Mr. Chairman, I can remember also that some years ago there was an issue, not just in North Carolina but in Mississippi, where there was a catfish factory where people were doing catfish, preparing catfish. They had a certain amount of catfish they had to debone and all that sort of thing.

It seems to me that at that time one of the reasons why they were doing

that is because they wanted to get more production out. Catfish had become a new thing, and now it was done in ponds instead of being a scavenger fish at the bottom of the river and all, and that was it.

Now it seems to me that what happened in that case, the women told me when I went to talk to them about that, and at that time I was on the Committee on Government Operations and the Manpower and Housing Subcommittee, and there is a new name, but that was the name of it then, and the thing that was going on was they were forced to do all this boning of the fish. Of course people would cut their fingers.

□ 1300

If they cut their fingers, they were not allowed to leave where they were working and go and get some kind of medical care from the nurse who was supposed to be there for that purpose. Instead, they just kept right on cutting the fish and the blood was dripping all over the fish and whatnot. As a result of that, I am not particular about catfish today, as you might expect.

This was inhumane treatment that was being done in the name of getting production out and to the exclusion of talking about workers' safety. Workers' safety is critically important. Here we are in a country that says we treasure our people. We are a democracy. We do not do inhumane things to people. It seems to me that allowing a machine to cut off somebody's finger or having doors lock so in case of fire, people cannot get out, is inhumane. It is not the American way to do things.

The other thing is that we find that we should not have to, that no American has to choose between working in an unsafe place and taking care of his family.

If we allow this sort of thing to happen, then we are shirking our responsibilities as American citizens.

The right-to-work in a safe place should not have to depend on regional economics. One State must not be able to look the other way when an industry important to that particular local economy endangers its workers. We have already heard about the chicken processing. We have heard about other cases. We have heard about the chickens, we have heard about the fish, and we have heard about other incidences where workers were just not safe.

I would say this is a very good amendment, one which we must in all good conscience support.

Mrs. CLAYTON. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. I thank the gentlewoman for yielding.

Mr. Chairman, I wanted to enter into a dialog with the ranking member, the

gentlewoman from Illinois [Mrs. COLLINS]. It should be remembered that it was States that really started this in the very beginning. And because States could not enact it, they needed more help, the Federal Government became involved in that. There has been a commitment on the part of the Federal Government for workplace safety for a long period of time.

To suggest that what we are talking about is not an appropriate role for the Federal Government escapes my understanding. It was because the States wanted them to be in it that the Federal Government went into having workplace safety, made those laws standardized so any American working anyplace would not be subject to one State having one set of laws, another State having another.

The CHAIRMAN. The time of the gentlewoman from Illinois [Mrs. COLLINS] has expired.

(By unanimous consent, Mrs. COLLINS of Illinois was allowed to proceed for 2 additional minutes.)

Mrs. COLLINS of Illinois. Mr. Chairman, I continue to yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. The other point that I think needs to be made, this is not a very expensive program. We are not talking about big bucks. In many places, the State volunteers to put the money there. When they get Federal money, it is because the State asks for the Federal money. So this is not a very expensive program that we are asking for the Federal Government to continue their involvement.

If you do not want to jeopardize workers, it seems to me that we would simply say that we want to exclude them from this bill.

Mrs. COLLINS of Illinois. Reclaiming my time, let me say in the case of the catfish, I was just reminded of the fact that the Federal Government did take some action against those people. OSHA in fact fined the company, which was the Delta Pride Co., \$32,000 for several safety violations, including failure to attend properly to those injuries that I was talking about.

It just makes sense to me that we want our workers to be safe. To be losing their fingers, to be injured in any kind of way, to be losing their eyesight, to be losing any of their extremities just does not make—or their life.

Let me tell you something else I did. I went down in a coal mine in West Virginia. It was not a very easy thing to do. It was a very, I don't know what you would call it, it was short inside there. I went down in this thing that looked like a big scoop. When I got down there, the men and women, there were women also who were working there, and they were squatting down like that. I could not squat down like that because I have always had bad knees, but I crawled around on my knees and the ceiling of the coal was just above me.

At that time we were concerned about methane gas exploding. Every now and then you would read in the paper about thousands of workers in these coal mines were being injured because there were not adequate safety regulations there for them.

I came out of there shaking, because first of all you are in there and it is dark and the only light you have is a little light that is on your head. They had a machine that was scraping the coal off the side of the wall.

The CHAIRMAN. The time of the gentlewoman from Illinois [Mrs. COLLINS] has again expired.

(By unanimous consent, Mrs. COLLINS of Illinois was allowed to proceed for 2 additional minutes.)

Mrs. COLLINS of Illinois. They had coal that was being scraped off the side of the wall. One man was using a machine. Others had these picks and scrapes that they were doing that with. I can remember really feeling claustrophobic for one, but more than that I was fearful; fearful that something would happen and all of a sudden there would be methane gas and there was no way in the world I could stand up to run out of there. I could not crawl fast enough and I was going to be at the mercy of God or anybody else who could come and get me out of there.

Worker safety is critically important. I do not understand how people who work in those conditions can do so without having the fear of their life every time. Even more important than that, while I was down in that coal mine and at the time that I was down in there, my son was a young man, he might have been 14 or 15 years old, so the thought came to me, "What would happen to my child if I didn't come out of that mine?" My husband, as many of you already know, had lost his life already. I was his sole parent. And if I was in that coal mine and a methane gas explosion came out, I did not know what was going to happen to my child. So I prayed and was really glad when I got up out of there.

For that reason, if for no other reason alone, I learned that worker safety is critically important and this is a critically important piece of legislation. I would hope that everybody in this House would vote for it.

Mr. DORNAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would say to my distinguished Democratic colleagues that everything you are saying is important and compelling. And as my good friend, the ranking Democrat on the Committee on Rules, JOE MOAKLEY knows, I am a Molly Maguire at heart, not a Pinkerton guard hired by management when it comes to worker safety.

However, the problem is we are creating a devastating burden upon the States with all of these mandates and not funding it. We have to find out how to make this relationship with our States work.

I wanted to insert a statement in the RECORD that highlights some of the California problems because the figures are tough.

Mr. DORNAN. Mr. Chairman, for too long, the Federal Government has enacted costly and onerous Federal mandates on States and localities without providing necessary financial assistance to achieve compliance. These mandates have been devastating to our cities and have shaken the very foundation of our system of Government. That is why I am pleased to lend my strong support to H.R. 5, the Unfunded Mandate Reform Act. This legislation will bring accountability to the legislative and regulatory process while helping to restore the delicate partnership between the Federal, State, and local governments.

In California, the Department of Finance has projected that in 1995, unfunded mandates will cost the State approximately \$7.7 billion. They report that this figure may be vastly understated, however, since it does not include a number of Federal court mandates affecting the health and welfare area nor does it include the cost of local mandates. For example, while illegal immigration is a Federal issue, the Federal Government mandates that States, such as California, provide certain services to illegal immigrants, yet it does not provide the funds to pay for them. The passage of proposition 187, which will deny most Government services to illegal immigrants, reflects the intense frustration felt by voters who no longer want to foot the bill for the Federal Government failed policies. California, along with the State of Florida has even filed suit against the Federal Government seeking reimbursement of billions of dollars in mandated expenditures required to incarcerate and provide educational and health benefits for illegal immigrants. California also filed suit against the Federal Government challenging the constitutionality of the expensive and burdensome National Voter Registration Act. Other States and localities have filed similar legal challenges looking for financial relief from unfunded Federal mandates.

Mr. Chairman, the Federal Government cannot go on using State and local governments as a source of public funding. This denies localities the ability to pay for essential services, such as education, law enforcement, and transportation, while many times providing ineffective solutions to the very problems these mandates are intended to address. I am pleased that the Republican leadership has recognized this fact. At last, the call for financial relief by State and local governments is being heard by Federal lawmakers. I ask my colleagues to support this long overdue piece of legislation.

In my State, our Department of Finance in California has projected that unfunded mandates are going to cost our State approximately \$7.7 billion just in 1 year. They say also that this is a vastly understated figure. It does not include a number of Federal court mandates affecting the whole area of health and welfare, it does not include the cost of local mandates. And illegal immigration, while a Federal issue, protecting our borders, is like a defense issue. The Federal Government mandates that we in California and all the

other border States provide services to illegal immigrants and then it does not provide any funds to pay for it.

The passage of proposition 187 which was still held upon in the courts, very controversial, obviously reflects this intense frustration of people in my State who no longer want to foot the bill for our Government's failed policies.

California, along with the great State of Florida, has filed the suits. As our floor leaders have said on every point you bring up on the other side, we agree with you. But it does not address the main problem that we thought important enough to put in our Contract With America.

If it does snow here tomorrow, which is projected, I will be happy to continue work in my life thanks to the prior work of the distinguished gentleman from Virginia [Mr. DAVIS] to whom I proudly yield.

Mr. DAVIS. I appreciate the gentleman yielding.

Mr. Chairman, I want to make just one point. First to my colleague from North Carolina, I applaud her sensitivity to this issue. It is an important issue. But I cannot agree with this amendment.

Let me just clarify a couple of issues. First of all, there is nothing in this legislation without this amendment that would preclude Congress from either mandating this and funding the mandate for workplace safety or, secondly, putting unfunded mandates on the States. We would just have the benefit first of all of knowing what those costs would be and we would have all that information in front of us. Why is that important?

Let me go back to my own experience as the head of a county government in Fairfax County, where just a couple of years ago, we had a case under the Fair Labor Standards Act, in the pay of fire lieutenants and fire captains, a \$2 million liability the county incurred for individuals that we had thought were officers and would be exempt from the act.

The court came back and this one was added funding that we had to come back and pay. What did that mean to this locality? In order to meet the standards set by the Fair Labor Standards Act and the courts in this case, a \$2 million obligation. In that year's budget we were forced to make cuts we had not intended to make originally. What that meant that year was we had to take money for special education—and there have been other amendments here trying to preclude that from the act—the locality had to take money from special education.

□ 1310

Money for parents with children with Down's syndrome had to be cut under the Fair Labor Standards Act and we could not afford to pay them. Then we

could not afford to properly fully fund our daycare for the families of the working poor, a very successful program we have in the county, where we left over 160 families that were unfunded that year because we had to put this money in something that individuals in Washington thought was a more important priority than we did locally.

That is exactly the problem with these kinds of amendments, we are setting the priorities from Washington, we are cost-shifting from a progressive income tax to pay for these items to regressive property taxes at the local level, and in the gentleman's State with Proposition 13, that means cutting community centers and other needed local obligations that we cannot afford because of this.

I thank the gentleman.

Mr. DORNAN. Excellent observations by a gentleman from the Commonwealth of Virginia.

Mrs. CLAYTON. Mr. Speaker, will the gentleman yield?

Mr. DORNAN. I am happy to yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Mr. Chairman, I just bring our attention to this amendment. I am not arguing all unfunded mandates. I have a similar experience. I served as chairman of my county board of commissioners. I know what it means in a rural county trying to balance the disparate needs you have and priorities. This is a priority even I as a county commissioner would have.

The CHAIRMAN. The time of the gentleman from California [Mr. DORNAN] has expired.

(By unanimous consent, Mr. DORNAN was allowed to proceed for 1 additional minute.)

Mr. DORNAN. Mr. Chairman, I continue to yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. If the gentleman could understand that this is not suggesting that this should replace any priority that we have. It is consistent with the priority I would have as a county commissioner or a Governor would have for his citizens.

The Governor of the State of North Carolina was devastated. The general assembly was devastated and, therefore, they put money in to protect their workers as a result of it. But they had this Federal guideline which would at least allow the private company to be held in violation of that. That gave them some protection.

So I am urging Members not to confuse these issues. I am simply saying that workplace safety should be exempt from this. I thank the gentleman. The gentleman has been very generous.

Mr. DORNAN. I thank the gentlewoman for her observations.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was in a crime bill markup, so I will try not to take my 5

minutes. But I did want to come over and congratulate my colleague from North Carolina on this fine amendment that she has proposed to this bill, and to express my support for this amendment.

Before I came to the Congress I spent 22 years practicing law, and a substantial part of my practice was workers' compensation cases. I am sure somebody is going to jump up and say, "well workers' compensation is State regulated and that makes our point."

Workers' compensation is State regulated. But in just about every workers' compensation case that I had in which a serious injury resulted, the workers' compensation coverage would come in and make its payments, and the victim would be partially or even in some cases fully taken care of, but there was nothing in place beyond workers' compensation to, at the State level, assure that the condition that resulted in that injury was addressed beyond just that particular victim.

So, in just about every one of those cases we ended up then appealing through the OSHA laws to a standard that had been set that required the employer then to address a correction of the condition that existed so future injuries would not occur of the same kind.

So, it is that standard-setting mechanism I think we have got to protect.

I have heard a lot of arguments during the course of this debate about this particular amendment, and against other amendments that suggest this is just a procedural thing and we can come back to the Congress and we can by majority vote override this mandate.

The concern I have about that is I have two concerns, and the gentleman is smiling because he thinks I am going off on this three-fifths supermajority, but I am not going there yet.

I have two concerns.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, that is not in the bill.

Mr. WATT of North Carolina. I understand.

Mr. DAVIS. Yet.

Mr. WATT of North Carolina. I understand.

Let me go on ahead and make the second point, that is the slippery slope argument, because what I see happening is as soon as we put this majority requirement in here the next step down the road is going to be to jack this up to a three-fifths majority rule which I spent so much time arguing against in yesterday's debate.

But the other point I want to make, and I will yield as soon as I make this point, is that even with a majority rule situation, these national standard laws are typically designed, look at the civil

rights laws, the OSHA laws, various and sundry Federal standards that have been set, have been designed to protect people who have less influence in the process, children, minorities, workers who have been injured on the job. And typically they are not the kind of people who are going to have the kind of influence in the process when this comes to a vote again on the House floor to exert that kind of influence in the process.

So, it gives me no comfort when my colleagues on the other side of the aisle say, "Well, this does not mean anything." Well, if it does not mean anything, why are we passing it? I cannot understand that argument. Why we have spent all this time on this bill on this floor of the House, as valuable as the Members of Congress' time is, and we are passing something that does not mean anything, because we can come back and override it next week on a majority vote?

So that is the point I want to make, and I am happy to yield to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I thank the gentleman for yielding. I do not think anybody has suggested here we do not believe this bill means something. What it means is that it is going to give us a better opportunity to understand what we are doing, the cost of what we are imposing, but in no sense does it mean it is a meaningless bill.

Mr. WATT of North Carolina. Reclaiming my time, though, if that is the case, what is the problem with exempting these?

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. WATT] has expired.

(On request of Mr. CLINGER, and by unanimous consent, Mr. WATT of North Carolina was allowed to proceed for 1 additional minute.)

Mr. WATT of North Carolina. Mr. Chairman, what is the problem with exempting these important things that my colleagues acknowledge systematically are important?

Mr. CLINGER. I would say to the gentleman we have had, I think we have, 60 suggested exemptions. If you want a meaningless bill then we would exempt all 60 of them.

Mr. WATT of North Carolina. Reclaiming my time, let me just make this point. If we have 60 amendments and each one of them is valuable, and we agree to exempt them by majority vote from this bill right now, and we acknowledge that they are valuable, what is the problem with exempting 40 different things, if we acknowledge right now that they are valuable?

If they are valuable things, then your bill needs to be destroyed, or limited,

or restricted to that extent. That is the point I am making.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. I thank the gentleman for yielding. Mr. Chairman, I would agree they are valuable. What we disagree with is this bill in any ways is going to undercut or undermine the validity of these programs. It does mean we have to look at what these are costing.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. WATT] has again expired.

(By unanimous consent, Mr. WATT of North Carolina was allowed to proceed for 30 additional seconds.)

Mr. CLINGER. If the gentleman will yield just on one other point, the gentleman raised the possibility of the specter, I might say, of a three-fifths vote. He indicated at the very beginning, he was going to resist amendments that either weakened this bill or strengthened it.

Mr. WATT of North Carolina. I understand that, reclaiming my time, I understand it in the context of this bill in this debate. But I bet the gentleman 10, 15 years ago, had he asked somebody would we be today amending the Constitution to require a three-fifths majority for anything that was not already in the Constitution, whoever was standing in the gentleman's position would have said, "Oh no, I have no contemplation of that ever happening."

□ 1320

Mr. Chairman, I encourage my colleagues to vote for this amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Carolina [Mrs. CLAYTON].

The question was taken; and the chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. CLAYTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 262, not voting 15, as follows:

[Roll No 54]

AYES—157

Abercrombie	Clement	Doyle
Ackerman	Clyburn	Durbin
Baldraci	Coleman	Engel
Barcia	Collins (IL)	Eshoo
Barrett (WI)	Collins (MI)	Evans
Becerra	Conyers	Farr
Bellenson	Costello	Fattah
Bentsen	Coyne	Fazio
Berman	Danner	Filner
Bonior	de la Garza	Flake
Borski	DeFazio	Foglietta
Boucher	DeLauro	Ford
Brown (FL)	Dellums	Frost
Brown (OH)	Dicks	Furse
Bryant (TX)	Dingell	Gejdenson
Cardin	Dixon	Gibbons
Clay	Doggett	Gonzalez
Clayton	Dooley	Gordon

Green	McKinney
Gutierrez	McNulty
Hall (OH)	Meehan
Hastings (FL)	Meek
Hefner	Menendez
Hinchey	Mfume
Holden	Miller (CA)
Hoyer	Mineta
Jackson-Lee	Mink
Jacobs	Moakley
Johnson, E. B.	Mollohan
Kaptur	Nadler
Kennedy (MA)	Neal
Kennedy (RI)	Oberstar
Kennelly	Obey
Kildee	Olver
Klaczka	Ortiz
Klink	Owens
LaFalce	Pallone
Lantos	Pastor
Levin	Payne (NJ)
Lewis (GA)	Pelosi
Lipinski	Pomeroy
Lofgren	Poshard
Lowe	Rahall
Luther	Rangel
Maloney	Reed
Manton	Reynolds
Markey	Richardson
Martinez	Rivers
Mascara	Rose
Matsui	Roybal-Allard
McCarthy	Sabo
McDermott	Sanders
McHale	Schroeder

NOES—262

Allard	Diaz-Balart	Hoke
Andrews	Dickey	Horn
Archer	Doolittle	Hostettler
Bachus	Dornan	Houghton
Baerles	Dreier	Hunter
Baker (CA)	Duncan	Hutchinson
Baker (LA)	Dunn	Hyde
Ballenger	Edwards	Inglis
Barr	Ehlers	Istook
Barrett (NE)	Ehrlich	Johnson (CT)
Bartlett	Emerson	Johnson (SD)
Barton	English	Johnson, Sam
Bass	Ensign	Jones
Bateman	Everett	Kanjorski
Bereuter	Ewing	Kasich
Bevill	Fawell	Kelly
Bilbray	Fields (TX)	Kim
Billakis	Flanagan	King
Blute	Foley	Kingston
Boehlert	Forbes	Klug
Boehner	Fowler	Knollenberg
Bonilla	Fox	Kolbe
Bono	Frank (MA)	LaHood
Brewster	Franks (CT)	Largent
Browder	Franks (NJ)	Latham
Brownback	Frelinghuysen	LaTourette
Bryant (TN)	Frisa	Laughlin
Bunn	Funderburk	Lazio
Bunning	Gallely	Leach
Burr	Ganske	Lewis (CA)
Burton	Gekas	Lewis (KY)
Buyer	Geren	Lightfoot
Callahan	Gilchrest	Lincoln
Calvert	Gillmor	Linder
Camp	Gilman	Livingston
Canady	Goodlatte	LoBiondo
Castle	Goodling	Longley
Chabot	Goss	Lucas
Chambliss	Graham	Manzullo
Chapman	Greenwood	Martini
Chenoweth	Gunderson	McCollum
Christensen	Gutknecht	McCrery
Chryslers	Hall (TX)	McDade
Clinger	Hamilton	McHugh
Coble	Hancock	McInnis
Coburn	Hansen	McIntosh
Collins (GA)	Harman	McKeon
Combest	Hastert	Metcalfe
Condit	Hastings (WA)	Meyers
Cooley	Hayes	Mica
Cox	Hayworth	Miller (FL)
Crane	Hefley	Minge
Crapo	Heineman	Molinar
Cremeans	Herger	Montgomery
Cubin	Hilleary	Moorhead
Cunningham	Hilliard	Moran
Davis	Hobson	Morella
Deal	Hoekstra	Murtha

Myers	Ros-Lehtinen	Stump
Myrick	Roth	Talent
Nethercutt	Roukema	Tanner
Neumann	Royce	Tate
Ney	Salmon	Tauzin
Norwood	Sanford	Taylor (MS)
Nussle	Sawyer	Taylor (NC)
Orton	Saxton	Thomas
Oxley	Scarborough	Thornberry
Packard	Schaefer	Tiahrt
Parker	Schiff	Torkildsen
Paxon	Seastrand	Upton
Payne (VA)	Sensenbrenner	Vucanovich
Peterson (FL)	Shadegg	Waldholtz
Peterson (MN)	Shaw	Walsh
Petri	Shays	Wamp
Pickett	Shuster	Watts (OK)
Porter	Sisisky	Weldon (FL)
Portman	Skaggs	Weldon (PA)
Pryce	Skeen	Weller
Quillen	Smith (MI)	White
Quinn	Smith (NJ)	Wicker
Radanovich	Smith (TX)	Wilson
Ramstad	Smith (WA)	Wolf
Regula	Solomon	Young (AK)
Riggs	Souder	Young (FL)
Roberts	Spence	Zeliff
Roemer	Stearns	Zimmer
Rogers	Stenholm	
Rohrabacher	Stockman	

NOT VOTING—15

Armey	DeLay	Johnston
Bishop	Deutsch	Pombo
Bliley	Fields (LA)	Rush
Brown (CA)	Gephardt	Stupak
Cramer	Jefferson	Walker

□ 1337

The Clerk announced the following pairs: On this vote:

Mr. Jefferson for, with Mr. DeLay against.

Mr. Deutsch for, with Mr. Armey against.

Mr. Foley changed his vote from "aye" to "no."

Mr. Nadler changed his vote from "no" to "aye."

So the amendments were rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to section 4?

AMENDMENT OFFERED BY MR. MASCARA

Mr. MASCARA. Mr. Chairman, I offer an amendment, which was printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MASCARA:

In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) requires compliance with section 402(a)(27) of the Social Security Act, any provision of part D of title IV of the Social Security Act, or any other Federal law relating to establishment or enforcement of child support obligations.

Mr. MASCARA. Mr. Chairman, the amendment I offer today along with my colleagues, Representatives WOOLSEY and KENNELLY, would exempt child support enforcement laws from this unfunded mandates legislation.

I offer this amendment out of a deep belief that child support enforcement laws must be strong and must be enforced. I am sure my colleagues on

both sides of the aisle would agree that our job is to insure that State and local governments collect every dollar possible from dead-beat dads, or any parent who has shirked their responsibilities and left their family to live off of welfare.

□ 1340

My fear is that this bill, as written, will frustrate this effort leaving State and local governments to absorb more of the costs for these welfare payments. This is an outcome none of us want. And is an additional burden our taxpayers do not deserve.

While H.R. 5 exempts various categories of laws from its restrictions on unfunded mandates, such as emergency assistance, legislation impacting the national security, and antidiscrimination laws, it fails to exclude the extremely crucial category of child support enforcement collection.

As many of my colleagues know, before coming to Congress I served as chairman of the Board of County Commissioners of Washington County, PA for the past 15 years. As part of my job, I was responsible for administering our local support enforcement program. And I am proud to say we did a very good job collecting payments from dead-beat dads.

In fact, we were so successful utilizing computer tracking systems and strong court orders, we consistently received a bonus from the Federal Government.

In the House, as is expected, enacts welfare reform legislation that includes more stringent requirements for establishing paternity and forces absent parents to pay child support payments, who is going to pay for the additional costs?

If the Congressional Budget Office determines the costs of these added requirements exceed the threshold established in this bill, my colleagues on the other side of the aisle could choose to slash funding for welfare benefits or shift financial responsibility to State and local governments.

My solution is to maintain the support enforcement program as we now know it. That means continuing to require the Federal Government to help pay for these efforts through the well-known title IV-D program.

The facts show that support enforcement programs are working and have paid off. While last year the Federal Government provided States with \$16.5 billion in child support payments, States collected \$8.9 billion in child support payments through the title IV-D system. These funds are used to help reimburse governments for welfare costs as a result of these efforts. In 1993 Federal and State governments recouped \$2 billion in Aid for Dependent Child costs.

The title IV-D programs are working so well that between 1989 and 1993,

child support collections increased by 73 percent and the number of established paternities increased by 63 percent. I think we should be doing everything possible to encourage, not discourage this upward trend.

Finally, child support enforcement efforts make money. Last year, for every dollar spent, we collected \$4 in support payments. This helped keep families off of welfare.

In 1993 as a result of support enforcement efforts an estimated 2 million families were kept off the Government rolls for a savings of \$1.3 billion in potential welfare costs.

Those are the kind of savings we should encourage not discourage. If we do not maintain strong support enforcement programs, State and local governments will only end up bearing increased welfare costs, or, worse yet, cut back on their collection efforts.

I ask that my colleagues seriously consider and support this amendment to ensure that these important title IV-D programs continue to operate.

Believe me, my former county commission colleagues in Washington, PA are not looking for any more problems or burdens. The unfunded mandates legislation should solve some of these problems—not add to them.

Ms. WOOLSEY. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. MASCARA].

Mr. Chairman, each year over \$5 billion in child support goes uncollected. This is a national disgrace that is punishing our children and bankrupting our welfare system. If we are truly serious about taking care of our children and reducing dependence on welfare, collecting outstanding child support must be a top priority in the new Congress.

That is why I believe child support collection should be exempted from the provisions of the Unfunded Mandates Reform Act. Mr. Chairman, last year, the Federal Government paid out 16½ billion dollars in AFDC payments to the States, along with another one billion dollars devoted specifically to child support collection. This is an enormous Federal investment, and, we have every right to expect the States to be vigilant about collecting [child support] payments which, after all, will keep families off the welfare rolls in the first place. When the States are not doing an adequate job, Mr. Chairman, we cannot be hindered from passing laws that will help crack down on dead-beat parents who shortchange our children.

I know first hand that child support does indeed make a big difference when it comes to welfare. Twenty-seven years ago, I was a single, working mother with three small children, and although the courts ordered my former husband to pay child support, we never

received a penny. Even though I was employed, in order to provide my children with the health care and child care they needed, I was forced to go on welfare to supplement my wages. Today, millions of welfare families, like my own, would not need assistance if they received the child support payments they are owed.

I am hopeful that this Congress will address the child support issue in a bipartisan way. In fact, Representative HYDE and I are working on a bill to reform the child support collection system. This bipartisan effort is proof that Members from both sides of the aisle want to engage in a meaningful effort to increase the amount of child support collected for families who need it so desperately. Members from both sides of the aisle realize that this approach will save Federal dollars in the long run. Indeed, Mr. Chairman, there should be no party lines when it comes to taking care of our children.

So, Mr. Chairman, I urge House Members on both sides to pave the way for this important effort—to allow us to proceed unhindered in the struggle to provide much-needed, and owed, child support to desperate families. I urge the House to adopt the Mascara-Woolsey-Kennelly amendment to exempt child support collection laws from H.R. 5.

Mr. CLINGER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. MASCARA].

Mr. Chairman, I do so reluctantly because I have had to oppose other amendments by other colleagues from Pennsylvania, but really for the same reasons that we have discussed earlier here, and that is that this is not a retroactive bill. It would not affect existing child support legislation, nor will it, in fact, affect any reauthorization of child support legislation unless it rises to a new mandate imposed in some reauthorization that would increase the cost by over \$50 billion. But I think the other thing is that, even if what we are talking about here is getting good cost analysis of what it is going to cost to implement any new mandates, then I think we have to recognize there are three possibilities that can occur once that determination is made, and that is we can, in fact, elect to pay for the mandate and thus relieve the local government from that burden, we can elect to pass that mandate through without paying for it, or, third, we can elect not to impose the mandate at all.

□ 1350

Now, I think the implication in a lot of the amendments that have been offered is that we would in every case elect not to pass the mandate through, and therefore there would be great gaping holes in the social contract and the safety net would be destroyed. But I would submit to the gentleman that

there is almost no likelihood that we are going to refuse to pass a mandate that is going to affect the livelihood and well-being of children. That is just not going to be in the cards.

So I come back that the primary purpose of this is to ensure we have a real understanding of what the costs of our actions are.

Mrs. MORELLA. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Maryland.

Mrs. MORELLA. I thank the chairman of the committee for yielding to me.

Mr. Chairman, I wanted to speak about this issue of child support enforcement as it relates, or actually does not relate, to today's discussion about Federal mandates. Again, I have great admiration for the sponsors of this amendment and I know about their commitment to child support enforcement, and I believe in that too.

Mr. Chairman, as co-chair of the Congressional Caucus for Women's Issues, I have been working with my colleagues—particularly Representatives JOHNSON, ROUKEMA, KENNELLY, NORTON, and others—to fashion comprehensive legislation to strengthen our Nation's flimsy child support enforcement laws. In the forthcoming days, we will introduce our legislation—the Child Support Responsibility Act of 1995—which will be considered on a parallel track with welfare reform.

In the area of child support enforcement, Mr. Chairman, you may be surprised to learn that States have specifically asked for a mandate. They want the Federal Government to require all States to play by the same rules—to give full faith and credit to each other's child support orders; to require cooperation among squabbling State agencies; and to unify the random patchwork of State laws that make interstate enforcement incredibly difficult, often impossible.

Of course, Mr. Chairman, States want Federal funding for a unifying child support system, and our bill provides it. Our legislation provides the Federal resources that States will need in order to make child support enforcement laws across the Nation work. Under the Child Support Responsibility Act of 1995, the Federal Government more than lives up to its financial obligation to the States.

That is why, Mr. Chairman, I do not think that today's amendment on this subject is either necessary or appropriate. While I will always work to protect our Nation's child support enforcement program, it is clear to me that H.R. 5 already exempts Federal obligations that are funded—of which child support enforcement legislation is certainly one—and that any effort to exempt a funded program from what is supposed to be an unfunded mandates bill is illogical.

Ms. WOOLSEY. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from California.

Ms. WOOLSEY. Mr. Chairman, I would just like to point out that with the welfare reform debate we have before us there will be emphasis on child support collection in order to have welfare reform in the first place. It may put an additional burden on States beyond what they are expected to do right now. And our goal is that we protect that, so that there will be no unfunded mandate provisions that prevent us from going further with welfare reform and child support.

Mr. CLINGER. Mr. Chairman, reclaiming my time, I understand that, but I would tell the gentleman that this bill as presently drafted would not in any way inhibit that possibility from happening. What it does provide is we would have a better idea of what the costs might be. It would not preclude that. To say that this should be somehow exempt as we have declined to exempt other areas I think would not be appropriate.

Ms. WOOLSEY. Mr. Chairman, if the gentleman will yield further, you said "we are almost certain that it will not do this." I want to be certain.

Mrs. KENNELLY. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I will not take the entire time, but I think what is happening here is we have an honest disagreement on where in fact welfare and child support enforcement come into being as we move forward in welfare support. And I think that is exactly what the gentleman from California [Ms. WOOLSEY] and the gentleman from Pennsylvania [Mr. MASCARA] and myself are trying to do, is have a clarification that in a program that we all agree on, child support enforcement, both sides of the aisle, it is one of those very good issues that is nonpartisan, and what we are saying here this afternoon is that we would like a clarification that child support enforcement would be exempt from this bill.

We have heard so much about welfare reform in this Capitol and across this country these last few months. Yet what we have not heard as much about, maybe because we all agree on it, is child support enforcement, which is a welfare prevention bill in fact. I fear without this amendment we could reform in exactly the wrong direction for child support enforcement.

As we know, child support enforcement is part of Aid for Families with Dependent Children. Aid for Families with Dependent Children is a volunteer program, even though all states take part in it. If a state does participate in a program, it has to have a child support enforcement agency as part of the program. Then the Federal Government does in fact pay not the full costs of the enforcement; it pays 66 percent.

Mr. Chairman, what has happened over the last few years is that people have been working on making this a better program and we have got to the point where we can collect 4 dollars for every dollar spent, which certainly is a good investment on dollars, but it only goes halfway in solving the problems, because the fact of the matter is \$34 billion remains uncollected. This means the custodial parents do not get their payment from the absent parent. So making child support enforcement subject to this legislation does not make good economic sense, and that is why we are asking for the clarification, because this program is optional, the Federal Government already pays the majority of its costs, as I said 66 percent, and it does have that proven record. But to the extent this legislation would allow states to stop the impetus, the progress, the efforts that have been made to keep child support enforcement up there where it belongs as a priority program, not at the bottom of the docket, not at the end of the line, not out of the vision of the Government, where it has come at this point is for it to be an upfront program, and we are afraid if we take off that impetus or impair it by putting it into this unfunded mandate situation, that just as the gentleman from California [Ms. WOOLSEY] said, there is that possibility that once again this very important program that we all agree is a good program goes to the bottom of the barrel.

And it is so true that so many of us have worked on this. The gentleman from New Jersey [Mrs. ROUKEMA] and I were on the Interstate Commission on Child Support Enforcement together. We then introduced legislation implementing many of the recommendations of the commission. Therefore, we got to the point where we all know interstate enforcement of child support is a difficult nut to crack. And this is why we are saying, be very, very careful not to put this into the unfunded mandate bill, to keep it as a Federal program, because there is no way we are going to get those missing parents to step forward when they have gone across state lines. So all we are urging today is a clarification about child support enforcement, merely saying do not include it in this very large bill, leave it where it is, we are making progress, and we want to continue making progress, and we ask this not be in the unfunded mandate program.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize that a rhythm has developed here with Republicans voting one way by rote, Democrats perhaps voting another, and I recognize we have come forward with our most favorite issues and I confess and concede that this is one of mine. But the gravamen of my argument does not

have to do with the substance and the considerable merits of this issue.

I am aware that no issue has more bipartisan support, perhaps, in the 104th Congress than collecting child support from deadbeat parents. For the women of the Congress especially, there has been painstaking, grueling work that is going to culminate, hopefully next week, in the introduction of the Child Support Responsibility Act, which indeed will create a new mandate.

But I am not at the moment arguing the merits, the very considerable merits, here. I myself put in an amendment and support this amendment, which is even more inclusive than my own. But, Mr. Chairman, as a technical matter, child support does not fit the framework of this bill.

□ 1400

Child support is, in our country, exclusively a matter of family law or State law. The unfunded mandate in this case is on the Federal Government to help the States with a State law function, collecting child support from their own citizens to pay to support their own children. This is not Federal law. This is not a Federal function. So why are we now, and will we in the new Child Support Act, be in it at all?

What we have discovered now, after decades of experience, is that the States cannot perform the State function well without the Federal Government, not the other way around, which is what we have been talking about, almost entirely, when we have heard other amendments.

We now, if we vote against this amendment, are voting where the perverse result of the bill before us would be to allow a vote on whether States should carry out and continue to carry out the State functions of collecting child support.

Think about it: that does not fit this bill and that is why it should not be in this bill.

We, in the child support bill, will be talking about State policy being carried out through the Federal Government. The Federal obligation is the one that is supplementary. The Federal obligation is the one that is an unfunded mandate.

Indeed, we have been doing our part with such a mandate all along, providing matching funds and incentive payments to the States to strengthen their own enforcement and increase collections.

Unfortunately, this has not worked well enough. And so we ourselves appointed this Interstate Child Support Commission, because this is an interstate matter, and this is the essence of federalism.

This matter, my colleagues, cannot work unless each of us accepts an unfunded mandate, the States and the Federal Government. Our own Commission, where the gentlewoman from Con-

necticut [Mrs. KENNELLY] has just told you she served, said, and I am quoting the Commission, "In order to create seamless case processing, some of our recommendations by necessity apply to both intrastate and interstate cases."

As it turns out, most of these are in fact interstate cases, and even those cases will get nowhere, will fall of their own weight, unless each accepts willingly his own part of the mandate, yes, mandate.

The problem is so serious and remedies have been so illusive that our own Interstate Commission considered having the whole kit and caboodle federalized, but then they said, "wait a minute, this is State stuff. This is family law. We do not want the Federal Government taking it over."

Instead, they said, let us have a standardized, State-based system to enable these matters to move across State lines. The Commission said that the State boundaries were inherent limitations on collecting child support.

We have to recognize, my colleagues, that child support is different from every other function we have been discussing here. It is rare, indeed, for the Federal Government to insert itself into a State function, but we have done so before and we will do so again, when our bill is introduced by next week.

The CHAIRMAN. The time of the gentlewoman from the District of Columbia [Ms. NORTON] has expired.

(By unanimous consent, Ms. NORTON was allowed to proceed for 2 additional minutes.)

Ms. NORTON. By definition, this area requires a State mandate funded by the State. We certainly would not want to take over State child collection, to do its still-mandated function of collecting support payments from its own citizens to support its own children.

Even considering for this, I say to the distinguished chairman, as an informational matter to come up for a vote is positively dangerous. The States will sit there and say, "hey, wait a minute, maybe we will not even have to pay for what we are paying for it they vote that this is an unfunded mandate."

At the very least, it sends a contradictory message to the States where we are trying now to say, "hey, more, more, take your mandate more seriously." Now we are voting on whether or not they ought to have a mandate at all.

The Child Support Responsibility Act to be introduced next week, Mr. Chairman, is close to a sacred congressional promise already. Please, do not take back the promise to collect support from deadbeat parents before the legislation is even introduced.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from Pennsylvania [Mr. MASCARA].

Mr. MASCARA. Mr. Chairman, I certainly have the utmost respect for the chairman of the Committee on Government Reform and Oversight, on which I serve, the gentleman from Pennsylvania. But as a county commissioner for a lot of years, the responsibility of collecting support payments rested right at home in county government in Washington, PA. As I said earlier, I think we have done an excellent job in collecting these support payments.

And I have no axe to grind with the other side of the aisle. I just want them to understand the importance of this particular amendment.

To me, it would seem that it is a legislative oxymoron on the one hand to say that we are going to engage in the debate on welfare reform and, on the other hand, change the system that I think is working very well.

As I indicated earlier, we are collecting payments, keeping people off the welfare by running a good system.

In closing, Mr. Chairman, I would like to reiterate that I am a staunch supporter of the support enforcement system. We must collect every last dollar possible from delinquent parents. Doing so keeps families together. It gives the remaining parent a real chance to raise children, to go to school, to find a decent job. Support enforcement is one Federal program that works. It works and it works well.

For every dollar spent on enforcement, the Government collects \$4 in support payments. By collecting these support payments, the Government helps keep people off of welfare and helps to pay for those who are on welfare. By collecting these payments, we are saving billions of dollars each year. Let us support real family values. Let us not tie this important effort up in knots.

Mr. DAVIS. Mr. Chairman, I move to strike the requisite number of words.

I just want to be very brief and say to my friend from Pennsylvania that I was a county commissioner as well. This is one program where the States actually make money. Currently, this bill will in no way preclude the current system. It is not in jeopardy at all. This would apply to future efforts by the Federal Government to send the bill for these programs of course down to the State and local governments.

I believe this should be a partnership. I think the Federal Government needs to be involved in this. I agree with the gentleman on this. I do not think that we should let any of these dollars go uncollected.

But I also believe that we should have this cost in front of us before we send new mandates to the State and local governments. That is all we are asking for. It is for that reason that I oppose this amendment, but certainly share the same concerns for collecting these costs, which total into the billions of dollars across this country, and

hope that we can join in perhaps another way, when waiving a point of order or having a dialog with the State and local governments, as future issues of this sort come before this Congress.

Mr. MARKEY. Mr. Chairman, I rise in strong support of the amendment offered by Representatives MASCARA, WOOLSEY, and KENNEDY to exempt laws and regulations pertaining to the collection of child support payments from the provisions of the bill before us today.

One-fifth of America's children live in poverty. In part, this is because the structure of the American family has changed dramatically in recent years. According to the Children's Defense Fund, in 1992, one-fourth of American children lived in homes where only one of their parents was present; this represents an increase from only one-tenth of all children in 1959. Unfortunately, the financial consequences of living with only one parent are equally dramatic: Half of all children living in single parent homes are poor, as compared to about 10 percent of children living in two-parent households. Thus, children who live with only one parent are five times as likely to be poor as children who are living with both parents.

The sharply higher rate of poverty among children living in single-parent homes is largely due to the fact that too many deadbeat dads do not contribute to the cost of raising their children. According to the Census Bureau, less than 60 percent of mothers who have custody of their children have child support orders, and of those who do have orders in place, half receive only part of the allotted amount of support or none at all. As a result, according to one study, within the first year after the father leaves a low- or moderate-income household, mothers report that 32 percent of their children go without food, 55 percent lack health care, and 37 percent do not have proper clothing. In short, because so many noncustodial parents are shirking their financial obligations, their children are going to school hungry and failing to receive the health care and clothing they need.

As long as deadbeat dads can escape their responsibilities to their children by simply picking up and leaving a State, we cannot solve this problem. We must track down more deadbeat dads—even when they cross State lines—and force them live up to the financial obligations they have to their children. I believe that this amendment protects our ability to do this, and I urge you to support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania, [Mr. MASCARA].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MASCARA. Mr. Chairman, I demand a recorded vote.

Mr. CLINGER. Mr. Chairman, I would like to announce that it would be my intention to have the committee rise at the conclusion of this vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 259, not voting 17, as follows:

[Roll No 55]

AYES—158

Abercrombie
Ackerman
Baldacci
Barcia
Barrett (WI)
Becerra
Bellenson
Bentsen
Berman
Bonior
Boucher
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Danner
DeFazio
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon

Green
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Holden
Hoyer
Jackson-Lee
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsul
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar

Obey
Oliver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Rose
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Slaughter
Spratt
Stark
Stokes
Studds
Tejeda
Thompson
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOES—259

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bevill
Bilbray
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle

Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrystler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
de la Garza
Deal
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett

Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley

Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBlundo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon

Bereuter
Bishop
Bliley
Borski
Brown (CA)
DeLay

McNulty
Metcalfe
Meyers
Mica
Miller (FL)
Mollinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner

NOT VOTING—17

Deutsch
Fields (LA)
Fowler
Hinchey
Jefferson
Johnston

□ 1428

The Clerk announced the following pair:

On this vote:

Mr. Deutsch for, with Mr. DeLay against.

Mr. TAYLOR of Mississippi changed his vote from "aye" to "no."

Messrs. FRANK of Massachusetts, PETERSON of Florida, HILLIARD, and MURTHA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CLINGER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

□ 1430

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOSS) having assumed the Chair, Mr. EMERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and

local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. FIELDS of Louisiana. Mr. Speaker, I missed a series of votes because, on January 22, at 7:14 p.m. my wife gave birth to our first child, Cleo Brndon Fields, who weighed 7 lbs. 1 oz. and was 20 inches long.

Had I been present, I would have voted "yes" on rollcall votes 52 through 55.

ELECTION OF MEMBER TO COMMITTEE ON INTERNATIONAL RELATIONS

Ms. MOLINARI. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 48) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 48

Resolved, That the following named Member be, and is hereby, elected to the Committee on International Relations of the House of Representatives: Representative Amo Houghton of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY, JANUARY 30, 1995

Ms. MOLINARI. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. MOLINARI. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

MEXICAN BAILOUT

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute.)

Mrs. SEASTRAND. Mr. Speaker, yesterday was a truly historic day in the House of Representatives. Last night we kept our promises to the American people and passed a balanced budget amendment to the Constitution that will force very real, very fundamental change in Washington.

So I chose today to point out the futility in telling Americans we will balance the books in Washington, but as early as next week Congress may vote to bail out Mexico to the tune of \$40 billion in loan guarantees.

I will only make two points. First, we Republican freshmen were elected with an agenda to take the concerns of the taxpayers to Washington. It does not include bailing out Mexico or Wall Street investors.

Second, there is a fundamental principle in economics. You get more of what you subsidize. We should not subsidize bankrupt economic policy.

I don't know who is more to blame, the intellectual dishonesty of the Mexican Government in dealing with America, or the intellectual bankruptcy of the Clinton administration who devised this scheme. The taxpayers will recognize this is not only bad politics, this is bad policy.

INTRODUCTION OF BILL TO BALANCE THE BUDGET BY 1997

(Mr. BENTSEN asked and was given permission to address the House for 1 minute.)

Mr. BENTSEN. Mr. Speaker, as my colleague from the other side just spoke, yesterday this House took action to try and bring the Federal budget in balance by the year 2002. While some may have disagreed with this process, that does not mean the debate ends there. It means that we have to go further.

Last week I introduced a bill, H.R. 567, which would require the President to submit and the Congress to act on a balanced budget beginning in fiscal year 1997. If we are truly serious, and many Members last night said they were serious, about bringing the budget into balance, then they should start working on it now, and as I said repeatedly in this House, we should bring the American people to the table and talk about how we are going to do it, because we will never accomplish a balanced budget without bringing the American people into the debate to find out where the cuts have to be made.

I would urge my colleagues to join with me and to sign on H.R. 567. I urge the committees to take it up. Let us bring this legislation to the floor.

NO PESO PROP UP

(Mr. TIAHRT asked and was given permission to address the House for 1 minute.)

Mr. TIAHRT. Mr. Speaker, the administration is calling for \$40 billion in loan guarantees for our neighbor to the south. We have been lobbied by the high rollers in the administration and from the Federal Reserve to gain our support for the peso prop up.

Once again the working families are requested to shoulder the burden of bad judgment. Once again the backbone of this Nation is asked to not only feed their families but also feed greed of the international bankers.

Like a drunk returning to the bottle our neighbor to the south returns to the taxpayers for this peso prop up, with a promise that this time it is different. A promise to increase taxes and a promise to institute wage and price controls?

The increased taxes and wage controls will take money out of the pockets of the Mexican workers. And price controls will reduce the profits of their businesses. It will not work. It is a bad plan.

Mr. Speaker, the working people of this Nation are saying no to the peso prop up.

CANNON ROTUNDA EXHIBIT OF AMERICAN PRISONERS OF WAR AND MISSING IN VIETNAM

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, I have sponsored an exhibit in the rotunda of the Cannon Office Building on our American prisoners, of war, with special emphasis on missing throughout the entire decade of the war in Vietnam. We have been fortunate to extend it for 2 more weeks.

There is much construction around the Cannon Building. Most of our new Members in both parties are in the Longworth. Please try and go through the Cannon Building. And for the senior Members in the Rayburn Building, it is very important that they see this exhibit.

Yesterday on the House floor, I made reference to my pal from California, Mr. FAZIO, about men who had been tortured or beaten to death, and mentioned Commander J.J. Connell and Major Earl Cobeil. I want to mention the other one, Ron Storz, who tapped out with a broom, "God bless you; see you someday in heaven," who was left in "Alcatraz" like Sam Johnson was.

Ed Alterberry was beaten every day for 38 days until there were exposed pieces of flesh from his neck to his heels.

I will put in the names of all of the others, including a woman, and then do a 5-minute special order to conclude on that theme and the Medal of Honor.

[From P.O.W., by John G. Hubbell]

Norn Schmidt, "Freddy" Frederick, Ken Cameron, Betty Ann Olsen, Hank Blood, and Top Benson.

Reader's Digest Press, 1976.

□ 1440

BAILOUT FOR MEXICO MUST BE
REJECTED

(Mr. MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. MILLER of California. Mr. Speaker, Members of the House, the \$40 billion bailout for Mexico must be rejected by the Members of this House. It is not in the best interests of the American people or our economy.

The Mexican bailout is about hot money, just as the REIT collapse in the late 1970's and the Latin American debt crisis in the early 1980's was also about hot money.

Junk bonds, savings and loans, it is all about hot money.

The Mexican peso's crisis is about a lot of Wall Street wise guys in \$1,000 suits and \$1 million bonuses who have more money than brains and very poor understanding of political history or ethics. Unfortunately, the money they have is other people's money, money from hard-working Americans who trusted the Wall Street wise guys who, as always, were more interested in the commissions and fees than the results of their investments.

What Wall Street wise guys are asking us to do is to extend the full faith and credit of the United States of America not only for their bad investments but also to the economies of the emerging Third World nations.

This is not a minor consideration, and we should reject it.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO THE DEPARTING
PAGE CLASS

The SPEAKER pro tempore (Mr. Goss). Under a previous order of the House, the gentleman from Missouri [Mr. EMERSON] is recognized for 5 minutes.

Mr. EMERSON. Mr. Speaker, I rise today in my capacity as chairman of the Page Board to remind our colleagues that today is the last day of service for many of the pages currently serving the House of Representatives. The semester is at an end, and those who have been appointed to serve for a semester will be returning to their homes and what I call a new crop of pages will be arriving over the weekend to begin their service on Monday.

I think it is fitting to note at these junctures the fine and outstanding service that is rendered, very often unsung, to the Members of the House by the pages who serve us here. Their experience is a wonderful experience.

They have the opportunity to learn by being here and observing and seeing and absorbing what goes on.

I would maintain, having been a page myself many, many years ago in the 83d Congress, that this is one of the best types of educational experiences that one could possibly have.

So on behalf of the Page Board and, indeed, I think for the entire membership of the House of Representatives, I want to express to the pages the thanks of the House for the great service that they have rendered and to wish them well in their future endeavors.

I am delighted to yield to the gentleman from Michigan [Mr. KILDEE], the former chairman of the Page Board and currently the minority member of the Page Board.

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding.

I want to thank the pages for their outstanding service this year. You have been just tremendous. Each and every one of you can be proud of yourselves, and I am very proud of each and every one of you.

I see a former page, the former Clerk of the House, Donn Anderson, standing back there with them, one who has really taken them under his wing and given them his wisdom and his guidance.

You have seen history at work here. You have seen the House of Representatives at work here. You have seen us at our best and at our worst. You have seen us working together trying to make this a better country.

You have witnessed some real history. You have seen Nelson Mandela walk down this aisle and speak from the podium where every President since Woodrow Wilson has stood, a man who had been in prison almost half his life who spoke of love and reconciliation. You heard the State of the Union Message here, a very long State of the Union Message here, just the other night, and you witnessed the orderly transfer of power in this House from one party to another after 40 years. That is democracy at work.

And in that orderly transfer of power, you saw me being transformed from chairman of the Page Board to the ranking minority member of the Page Board to be followed by the one for whom I have great admiration, the gentleman from Missouri [Mr. EMERSON], who is now the chairman.

I look forward to working with you in the future. Anytime any one of you need a letter of recommendation, I will give you each one a great one. You are good people.

Eight or nine years from now you can be a Member of this House, and as I look around, Mr. Speaker, some of the new Members, they look almost that age, some of the newer Members this year. That was a great transfer of power, too.

Thank you for what you have done. You are great people. God bless you. Godspeed.

Mr. EMERSON. I thank the gentleman.

I yield to the gentleman from Arizona, a newly appointed member of the Page Board and a former page himself.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman from Missouri yielding to me.

I did have the opportunity this morning to attend my first meeting as a member of the Page Board, and it is a great honor for me as one who began his service back here as a page too many years ago. We will not mention the particular year. But Donn Anderson, Ron Lasch, and I all graduated from the page school.

I just wanted to join with my colleagues in saying to the young men and women that are with us here today, many of whom will be leaving, some of whom will be staying with us for their second semester and the rest of this session of Congress, or this first part of this session of Congress, that you had an extraordinary experience, and I think you probably all recognize that.

As I look back on the experience myself, I think back to things that have had a formative part, been a formative part, of my life, and I think none has been more important than the experience that I had here as a page. In terms of giving me an appreciation for how the American Government works and an appreciation for the political process and a better understanding of those who serve us in Government, that they are humans, they are good, and some are bad, and some are indifferent, but they are humans in every single way, and I think that perhaps more than anything else that I took away from that experience it was that.

I hope as you go back to your States and to your communities you will try to convey that to the young men and women that you will be in school with this year and next year and on into college, that there is so much that we are fortunate to have in our country, so much in our Government that is good, and that it is so important for all of us to participate in that.

You have been given a rare opportunity that very few young men and women have in their lifetimes, to be a part of this, not just to observe, but to actually be a part of this process, and I know that you will take away from it a great deal.

The test is really how you will use this in the future and to what good you will put it. It does not have to be in government. You can put it to good use whether you are in medicine, whether you go into law enforcement or business or whatever career you might be in. But I suspect that this is an experience you will find later in life will be one of those defining moments for you. So take that message back and think about what you have learned here and how you can put it to use.

I will make this prediction, Mr. Speaker, and my chairman of the Page

Board, my colleague, at least one or two of these people will be back among us one day, probably after we are gone, but back among us one day as Members of this body.

I wish you all very well, God bless you. Thank you.

Mr. EMERSON. I thank my colleague for this contribution.

Let me yield now to the gentleman from Pennsylvania [Mr. KANJORSKI], my friend of 42 years with whom I had the great privilege of serving as a page in the 83d Congress.

Mr. KANJORSKI. Thank you very much, I say to the gentleman from Missouri [Mr. EMERSON].

I guess the pages should know that there is a long traditional history in this House that pages do come back to serve, and they come back as the guardians of the memory of what this House is about.

The gentleman from Missouri [Mr. EMERSON], the new chairman of the Page Board, and I had the pleasure of meeting on this House floor on the great day of January 20, 1953, as the American people were witnessing the inauguration of Dwight Eisenhower as President of the United States.

He and I have had the pleasure through our lifetime to have served and known personally every President of the United States since Dwight Eisenhower, every Speaker of the House of Representatives since Joseph Martin of Massachusetts, every majority and minority leader of the House of Representatives since Charlie Halleck of Indiana, and I believe at that time John McCormack of Massachusetts, or Mr. Rayburn, at that time, was minority leader when we served as pages.

The opportunity you have been given by this Congress and your individual sponsoring Members is something special, and as I think of it, it is one of the few assignments or appointments we can make as Congressmen that will, indeed, affect our future.

As my friend from Arizona has pointed out, there is not any question in my mind that one of you will rise at least to the service of this House, if not to the Senate or to the Presidency of the United States.

□ 1450

What you have learned here and what you have observed here is most important because you will carry it as probably the most important and significant experience of your lifetime.

As you go on from this place, you will return to your schools, and it is important that you exercise the greatest capacities you have to gain all the knowledge and information you can gain there, then go on to college and graduate school, as you may, so that you too may have the opportunity to come back and serve the American people.

As my friend from Arizona indicated, you have had the opportunity to be the

fly on the wall to see democracy in action in its very form. You have also had the opportunity, as the gentleman from Missouri, BILL EMERSON, and I did as 15-year-olds, to see the orderly transition of democratic power. That experience may not happen for another generation to come. So, for all time in the future, you will be able to say you were there in the 104th, this Congress, when 40 years of domination by the Democratic Party turned the gavel over to a new Speaker and a new majority and that it operated without the threat or the sound of one gunshot.

It is a tradition that has continued for more than 200 years, the longest uninterrupted parliamentary democracy, the House of the people, in the history of the world.

I join with my friend from Missouri [Mr. EMERSON] and all my fellow pages, some of them came after us—they are the young guys—in wishing you well and congratulating you on your great public service, recommend that you carry on in that tradition and you have the opportunity to see that democracy and representative government continue in this democracy forever in the future.

Mr. EMERSON. I thank the gentleman for his contribution.

Mr. Speaker, I yield to the gentleman from Mississippi.

Mr. WICKER. I thank the gentleman from Missouri for yielding to me.

Mr. Speaker, it is my pleasure to add my comments of commendation to the pages who are leaving this Chamber. I have only been here some 3 weeks with this crop of pages, but you are part of a proud tradition that dates back—it is hard to believe, Mr. Speaker, that it was some 27½ years ago that I was here as a page. Lyndon Johnson was President of the United States, there were giants who walked the floor of this Chamber, such as Gerald Ford, John McCormack. There were people who fought partisan fights very vigorously, but they were patriots and loved this country above all. I know that you will look back on your experience with the same memories that I have. Some of you will come back to this body as Representatives of the people. Most of you will go on to other careers, perhaps medicine, the military, some of you in public service in other areas, in education perhaps. But whatever you do, this time that you have had will be an invaluable moment in your lives and you will always look back on it with treasured memories.

If I could, I would like to echo the remarks of the gentleman from Arizona [Mr. KOLBE] and my colleague from Michigan [Mr. KILDEE] that it is a very historic moment that you have witnessed in these past few months. You saw only yesterday a balanced budget amendment enacted in a bipartisan vote that has been before this body for some 15 years. You saw the fruition of that just yesterday.

This is about the orderly transfer of power, and it only happened 40 years ago prior to this. It is truly historic and truly profound when you have an opportunity to see the gentleman from Missouri [Mr. GEPHARDT] pass the gavel to the gentleman from Georgia [Mr. GINGRICH] and the troops were not called in, air raids were not required. But the solemn act of the voters across this country made that decision. It was accepted by the most powerful leaders of the land.

So you have been here, I would say to each and every one of you, at a very historic time and you have performed a very valuable service to your Nation and to this Congress, and I commend you and thank the gentleman for yielding.

Mr. EMERSON. I thank the gentleman for his contribution.

Mr. Speaker, I yield to the distinguished gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I thank my friend from Missouri, Mr. EMERSON, for bringing this to the House's attention.

Mr. Speaker, this is an important day. It was not that many years ago that I left this Capitol Hill as a page in the other body. Actually, it was many years ago, 1967, about the same time the gentleman from Mississippi was leaving.

Mr. Speaker, though I learned a lot in my 4 years, I remember a lot of things: I still get lost in the Rayburn Building, moving around in my first weeks here. But I keep running into pages who keep me on the straight and narrow as I make my way about.

Mr. Speaker, pages still work many hours. I do not think people appreciate the long days that they put in. School starts at 6:30, they have to get up before that. They have long days, and longer days since the session began, sometimes into the evening. So, after getting their studies at night, a 12-hour day is not unique in the life of a page. It is very exciting, but it takes total commitment.

Mr. Speaker, I want to commend their knowledge and their industry and the commitment they have shown just in the 3 weeks since I have joined this body. I think the test is going to be for them to build on the basis of knowledge that they have obtained here. They have been given an opportunity to observe and serve in a way very few ever have. It will be a defining moment in their lives.

I hope many of them will seek public service and find the same kind of commitment many of us have, but at the same time find the kinds of joys you can get from serving other people which brought many of us into public service.

I know some of these individuals will return in the future to this House. It is a sad time to see some of them go. But I know that when I left here, I had

hoped to return one day. So the fact that I can make it will inspire others. It is an achievable goal.

I thank the gentleman from Missouri for bringing this to the House's attention.

Mr. EMERSON. I thank the gentleman from Virginia for his contribution.

Mr. Speaker, in conclusion, let me wish all the pages all good things. I hope you will achieve your life's goals and ambitions and that your lives will be filled with good health and happiness and success.

Work hard, and do the very best you can. I hope that this experience has been for you everything that we hope it has been. I think as you get older and reflect back on it, you will probably find it is one of the best experiences you could ever hope for.

Mr. Speaker, I say to all the pages: "God bless you all, God speed to you in your future endeavors."

MAKING TOUGH DECISIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. TUCKER] is recognized for 5 minutes.

Mr. TUCKER. Mr. Speaker, I first would like to associate myself with those remarks by my colleagues and congratulate the pages also. They certainly do a fine job here on the floor of the House. There were some things in my colleagues' comments that I thought were somewhat remarkable and worth mentioning and worth underscoring when they talked about the bipartisanship with which this House has, last night, passed a balanced budget amendment. Also the bipartisanship in the whole democracy, contextually, in which the gavel was passed from Mr. GEPHARDT to Mr. GINGRICH.

Certainly this is highly reflective of and symbolic of the kind of democracy that we so wonderfully enjoy here in the United States of America. Whether we like something or not, whether we voted for something or not, the majority rules, and so it goes.

Last night, Mr. Speaker, I did not support the balanced budget amendment, but, thank God, we live in a country where I can say that democracy had its will and its way. As to the reasons why I did not support it, they are precisely because it did not prohibit things like Social Security being on the chopping block. In other words, it did not take Social Security off the chopping block. So everything is on the table, Social Security and other things are on the table.

The other reason I did not support it is it allows for a three-fifths rule, which would allow for a minority to have control over whether or not you are going to expand budgetary outlays.

Certainly, from my standpoint it was unconstitutional and it provided a sce-

nario under which you can have minority controlling a House that I believe should be controlled by a majority.

□ 1500

But nonetheless the majority did make that decision, and so the majority ruled, but it brings me to the point, Mr. Speaker, of what I would like to talk about today, and that is precisely how important it is for this House to weigh out what it does.

Last night a lot of people were happy about the balanced budget amendment passing, and to them I say, "Congratulations." They certainly did a lot of hard work, persons like my colleague, the gentleman from Texas [Mr. STENHOLM].

But the rather interesting excitement and inebriation, if my colleagues will, that they experienced last night, I just hope that they continue to feel those feelings of joy after they wake up from that moment of inebriation to the sobriety of the reality of what they have done, for indeed, Mr. Speaker, we are going to make some very hard choices in the months ahead for how we balance the budget, and my reason for not supporting that amendment was precisely the same reason that I say today, that we must not balance the budget on the backs of the poor and the needy.

The balanced budget amendment is only a prelude to what we are going to be dealing with very shortly when we start talking about welfare reform. It is going to be another tough choice, another very difficult decisionmaking process through which and by which we are going to have to ask the difficult questions. How can we come up with the right solution, by the right means?

And so, Mr. Speaker, what we are saying is, "You can have a right goal, and you can have a right objective in mind, but we can't accomplish it by the wrong means, and certainly everyone in this House talks about welfare reform and the fact that we need to overhaul the system that is arguably antiquated and that has some indicia of fraud and abuse, and we understand that, and it's not only the Members in this House that believe that, but the surveys show and are very replete with information that all of America, just about, feels that welfare is in need of an overhauling. But we have to look at some of the specific points about welfare, and we need to be very, very careful."

Mr. Speaker, as we start reforming and retooling our welfare system so that we can be fair to the welfare recipients, and be fair to this country, and indeed be fair to the principles of democracy, let us start off, first of all, with the aspect of who are the recipients who most, in most instances, actually benefit from welfare, Mr. Speaker, Well, a lot of people have promulgated and propagandized this notion

that it is all of these lazy, shiftless welfare mothers, and they are bilking the system, and they are exercising all kinds of schemes, and fraudulent schemes, in order to sustain themselves. But the reality is, Mr. Speaker, as a matter of education and edification, that 70 percent of all recipients on welfare are children. So, when you start taking out the cleaver, and we start talking about cutting welfare, and we start talking about eliminating welfare, let us, first of all, understand that we are talking about America's children.

A lot of people think that welfare is a matter of African Americans who predominate the welfare rolls. That can be no further from the truth, Mr. Speaker. The majority of those who are recipients of welfare are actually white Americans. So, when we talk about welfare, we have to be honest, and we have to be clear about what the facts are.

Now we talk about America's children. There have been proposals that say that if a mother is under age, under the age of 18, that she should not receive any welfare benefits, or therefore her children should not receive any welfare benefits. She could be 17 years, and 11 months, and 28 days—29 days, and under the age of 18, and still she and her children will not receive any benefits. But when she becomes 18, the children still would not receive any benefits for the rest of their lives. These are the kinds of proposals that we have to be very careful about because obviously these children are the ones who bear the brunt of that kind of a policy. The children are at stake.

We have heard things like, "Let's have orphanages because we need some type of a controlled setting by which these children can be raised," but, Mr. Speaker, those kinds of policies are antiquated. Those types of policies are archaic. They are outdated, and they are inefficient.

We do not need to take the baby and throw it out with the bathwater, if you will. What we need to do, Mr. Speaker, is we need to be very careful about trying to rehabilitate and trying to provide some social support for American families. We need to get away from the monikers of illegitimacy and realize, yes, that we have a high incidence of this country per capita of out-of-wedlock births, but that does not make a child illegitimate. That should not cause us, as Americans and as a country, to put some type of disparaging association on some child because that child's mother did not choose or did not happen to, for whatever reason, marry.

There are many, many outstanding leaders and citizens of our country and our communities who are products of broken homes. In fact, Mr. Speaker, as we look more and more, we realize that one out of every two American families

now evidence a broken home or a single parent family, and usually that single parent is a mother.

So what we have to do is we have to start now reeducating ourselves and re-sensitizing ourselves to the new America. This is not the America of Wally Cleaver, and "Leave It To Beaver," and Ozzie and Harriet. This is the America of the 1990's, and we have to be realistic about what family values mean these days, and family values these days to me mean that we should adopt that adage of the old African proverb that says it takes a whole village to raise a child. It does not mean that the village should be called an orphanage. I mean we should look at things like group homes, but group homes where the parents or parent in this case, a single parent, can still be with their children. We should not be trying to separate the parent from the child. We should be trying to keep them together, and if, in fact, we are going to employ the basis of a group home, then let us make sure that we do it in a way where we can give social skills to the parent as well as help to the children.

AN UNINTENTIONAL MISPRONUNCIATION OF MY FRIEND'S NAME

The SPEAKER pro tempore (Mr. Goss). Under a previous order of the House, the gentleman from Texas [Mr. ARMEY] is recognized for 5 minutes.

Mr. ARMEY. Mr. Speaker, this morning I mispronounced the name of my friend and colleague, the gentleman from Massachusetts [Mr. FRANK], in a way that sounds like a slur. Let me make this absolutely clear. The media and others are reporting this as if it were intentional, and it was not.

I repeat. This was nothing more than the unintentional mispronunciation of another person's name that sounded like something it was not.

Mr. Speaker, there is no room in public discourse for such hateful language, and I condemn the use of such slurs.

After I heard about how the story was being covered, I called the gentleman from Massachusetts [Mr. FRANK], and I told him of my stumbling over his name, and I apologized for the perception created by the press that I would even think of such terms.

It was not an attack. It was not even a Freudian slip.

I have worked with the gentleman from Massachusetts [Mr. FRANK] in the past. I consider him a friend. I am disappointed that the media and others would take this incident and turn it into a firestorm, a firestorm. I take strong exception to the airing of the tape and even the transcribing of a stumbled word as if it were an intentional personal attack.

□ 1510

I take strong exception to the airing of the tape, and even the transcribing

of a stumbled word, as if it were an intentional, personal attack.

I take strong exception to the airing of the tape, and even the transcribing of a stumbled word, as if it were an intentional, personal attack, and I take this exception especially in light of the fact that I went to the press who had the tape and explained to them in the best humor I could that I had simply mispronounced a name, and did not need any psychoanalysis about my subliminals or about my Freudian predilections, especially from people who are obviously not trained in psychological analysis.

With all of the issues the new Republican majority are bridging to the floor of this House, it is regrettable that a unintentional mispronunciation of a name in a way that would be clearly offensive had it been intentional should shift the public debate away from issues like balancing the budget, cutting taxes, and reforming our failed welfare system.

Can we not get back to real issues? Cannot the press report real events?

Mr. Speaker, I would like to for a moment thank my friend and colleague from California, Mr. BILBRAY, for allowing me to proceed ahead of him in this order. I would like to thank the indulgence of this body for allowing me these moments. I would like to thank my diligent, fair, responsible friends in the press for 10 years of what I believe to have been a good relationship with decent people doing their job.

Mr. Speaker, I have a family. I have raised five children. I spent a lifetime telling my children the rules of decent discourse, teaching them how to be respectful of other people. We have a long list of words we don't use, of names we don't call, of sentiments we don't express. We have another long list that comes under the general rule of my mother and father's precious teaching about good manners, decent discourse, real respect for other people. And to have my five children, or anybody else's five children, turn on their TV today and see a transcript of a mispronunciation on the air, as if I had no sense of decency, cordiality, respect, or even good manners, is unacceptable. It is an act in itself that is indecent. It is an act that is unkind, at least to myself, hurtful to my children, and clearly indifferent to the feelings of my friend, BARNEY FRANK. And, yes, I have a word for that act. You will find that word in the singular word to the song "Cotton-Eyed Joe."

GET TOUGH WITH MEXICO REGARDING CAR THEFT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BILBRAY] is recognized for 5 minutes.

Mr. BILBRAY. Mr. Speaker, we have heard a lot of Mexico again this week,

a lot of talk about the bailout of the Clinton administration when it comes to Mexico. I happen to represent the city of San Diego, the proud home of the championship San Diego Chargers. But sadly we happen to be the home of one of the biggest car theft rings in the United States.

Mr. Speaker, the citizens of San Diego County have to put up with their vehicles being stolen and shipped to Mexico and sold on Mexican markets. This is not the kind of free trade, Mr. Speaker, that we support in San Diego. In fact, in the treaty of the 1920's and in 1981, it specifically stated that stolen cars that were inappropriately exported to Mexico would be returned within 45 days, 45 days, of the time that they were recovered.

Well, Mr. Speaker, not only are the vehicles not returned within 45 days, but they are actually held, used by Federal and State Mexican officials for their personal and public use. And, Mr. Speaker, here is a photo of a Mexican agent driving a United States stolen car.

What is the issue here, Mr. Speaker? The issue is that there is a fine line between being a nice guy and being a patsy. And frankly I am not so sure that the Clinton administration knows where that line is when it comes to foreign policy.

In San Diego we strongly support cooperative efforts with our neighbors to the south. And when I say neighbors, I mean neighbors. I live on the border with Baja California, and I am proud of the way we have been able to work with them. But this administration sent a letter 6 months ago, Mr. Speaker, asking the Federal Government to address this atrocity against the private property rights of the people of San Diego. It has been 6 months, and all this administration has said is that "We'll talk to them."

Mr. Speaker, the Clinton administration wants us to approve a loan guarantee, that they will be rough and tough in case Mexico doesn't come across. Well, we have treaties today, and these treaties are being thrown away and discarded by both governments. And frankly, I have to say to the President and his administration that if they do not have the guts or the wherewithal to be able to recover our stolen cars when they are being used by Federal agents in Mexico, my God, how do they expect us to be able to trust them with a \$40 billion-plus guarantee?

Mr. Speaker, I spent 20 years working with Mexico and 20 years working with the Federal Government, and it is sad to say that this administration shows me no ability to do what is right for the people of the United States when it comes to representing us in the world outside our boundaries. This administration has sold us down the river and refuses to stand up for the rights of our citizens.

I know that there are those in Mexico who will not want to hear this, but frankly I don't blame the people of Mexico and I don't even blame their Federal Government half as much as I blame the Government that my citizens have not only elected, but they pay the salaries of to represent them and fight for them.

The fault does not lie with Mexico. It lies with a Federal administration that does not have the guts to stand up for its citizens.

Mr. Speaker, we look forward to good cooperation with Mexico. We want to see free trade, the right kind of free trade. We want to see the great social and economic and political bonds that are possible with our neighbors to the south. But if this President and his administration does not understand that before we can harvest the crop of economic and social prosperity with the NAFTA free trade and other relationships, if they don't understand we must first pull out the stumps and the boulders out of the field of environmental problems, of uncontrolled crime along the border, then this administration just does not get it. It is taking short cuts that are leading to a dead end.

□ 1520

I stand here today to call on the administration to tell the people of San Diego County when they can expect to have their cars returned. And it does not take very far to look, Mr. Speaker. All you have to do is go to the federal agencies in Baja California, and you can find American cars with California licenses still on the car, still on the car driven to official raids by the federal agencies. That is not a hidden agenda. That is a public agenda, and now it is up to the President and the administration to make sure this agenda is addressed and the property of the citizens of the United States is returned to its proper location. Maybe then we can talk about what kind of guarantees we can work with. But only after they have taken care of the existing treaties.

CONGRATULATIONS TO GOVERNOR DON SUNDQUIST

(Mr. BRYANT of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. BRYANT of Tennessee. Mr. Speaker, last weekend, Tennessee inaugurated as its 47th Governor a man who has been a friend and colleague to many in this House, Don Sundquist.

It was a gratifying and meaningful occasion for me, because Don Sundquist has been a close friend and a wise mentor, and because the people of Tennessee's seventh district chose me to succeed him in Congress.

Over 12 years and parts of three administrations, Don Sundquist served his constituents honorably and dili-

gently, holding true to his convictions and staying in touch with those who sent him here.

All of us should be encouraged to witness the success of a former colleague. And all of us who hold the sincere desire to shift responsibility back to the people and away from Washington can only be encouraged to think that we will be turning over those responsibilities to activist Governors like Don Sundquist of Tennessee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELAY (at the request of Mr. ARMEY), for today, on account of illness.

Mr. BISHOP (at the request of Mr. GEPHARDT), for today, on account of family illness.

Mr. RUSH (at the request of Mr. GEPHARDT), for today, on account of personal business.

Mr. FIELDS of Louisiana (at the request of Mr. GEPHARDT), for today, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TUCKER) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

Mr. TUCKER, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. JONES) to revise and extend their remarks and include extraneous material:)

Mr. DORNAN, for 5 minutes, today.

Mr. MARTINI, for 5 minutes, on January 31.

Mr. BILBRAY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. JONES) and to include extraneous matter:)

Mr. LEWIS in two instances.

Mr. DORNAN.

Mrs. MORELLA.

Mrs. SEASTRAND.

Mr. MARTINI.

Mr. GILMAN.

(The following Members (at the request of Mr. TUCKER) and to include extraneous matter:)

Mr. FOGLIETTA.

Mr. FAZIO of California in two instances.

Mr. WARD.

Mrs. MALONEY in two instances.

Mr. BONIOR.

Mr. HAMILTON.

Mr. MILLER of California.

Mr. WILLIAMS in two instances.

(The following Members (at the request of Mr. BRYANT of Tennessee) and to include extraneous matter:)

Mr. THOMPSON in three instances.

Mr. BALDACCI.

Mr. MARKEY.

Mr. FROST.

Mrs. COLLINS of Illinois.

Mr. RUSH.

Mr. PACKARD.

ADJOURNMENT

Mr. BRYANT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 23 minutes p.m.) under its previous order the House adjourned until Monday, January 30, 1995, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

221. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee as International Relations.

222. A letter from the Deputy Assistant Administrator, Agency for International Development, transmitting a report on economic conditions prevailing in Egypt that may affect its ability to meet international debt obligations and stabilize its economy, pursuant to 22 U.S.C. 2346 note; to the Committee on International Relations.

223. A letter from the Director, Defense Security Assistance Agency, transmitting a report containing an analysis and description of services performed by full-time U.S. Government employees during fiscal year 1994 who are performing services for which reimbursement is provided under section 21(a) or section 43(b), pursuant to 25(a)(6), Arms Export Control Act; to the Committee on International Relations.

224. A letter from the Deputy Director, Defense Security Assistance Agency, transmitting a report containing the status of loans and guarantees issued under the Arms Export Control Act, pursuant to 25(a)(11) of the Arms Export Control Act; to the Committee on International Relations.

225. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Review of the Department of Human Services Foster Care Program Vendor Payments for Fiscal Years 1992, 1993 and 1994," pursuant to D.C. Code, section 47-117(d); to the Committee on Government Reform and Oversight.

226. A letter from the Director, National Park Service, transmitting a report concerning the 25th anniversary of Earth Day; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. House Resolution 43. Resolution to amend clause 2(g)(3) of House Rule XI to permit committee chairmen to schedule hearings (Rept. 104-5). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 47. Resolution providing for the consideration of the resolution (H. Res. 43) to amend clause 2(g)(3) of House Rule XI to permit committee chairmen to schedule hearings (Rept. 104-6). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 101. A bill to transfer a parcel of land to the Taos Pueblo Indians of New Mexico; with an amendment (Rept. 104-7). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 400. A bill to provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes (Rept. 104-8). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 440. A bill to provide for the conveyance of lands to certain individuals in Butte County, CA (Rept. 104-9). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. House Joint Resolution 50. Resolution to designate the visitors center at the Channel Islands National Park, CA, as the "Robert J. Lagomarsino Visitors Center"; with amendments (Rept. 104-10). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. H.R. 2. A bill to give the President item veto authority over appropriation acts and targeted tax benefits in revenue acts; with amendments (Rept. 104-11, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5, of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WYDEN (for himself and Mr. LEACH):

H.R. 718. A bill to establish a Markets and Trading Commission in order to combine the functions of the Commodity Futures Trading Commission and the Securities and Exchange Commission in a single independent regulatory commission, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. COLLINS of Illinois (for herself, Mr. MCHUGH, and Mrs. MALONEY):

H.R. 719. A bill to require Federal agencies to apply value engineering, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. HOKE:

H.R. 720. A bill to amend the Internal Revenue Code of 1986 to allow individuals a de-

duction for contributions to a Medisave account; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself, Mr. VENTO, Mr. TORRES, Mr. HINCHEY, Mr. GEJDENSON, Mr. RAHALL, Mr. MEEHAN, Mr. YATES, Mrs. MALONEY, Ms. SLAUGHTER, Mr. NADLER, Mr. STARK, Mr. FRANK of Massachusetts, Ms. ROYBAL-ALLARD, Mr. GOSS, Mr. ABERCROMBIE, Mr. ACKERMAN, and Mr. SANDERS):

H.R. 721. A bill to establish fair market value pricing of Federal natural assets, and for other purposes; to the Committee on Resources, and in addition to the Committees on Ways and Means, Agriculture, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 722. A bill to authorize the Secretary of the Treasury to issue guarantee commitments for debt securities issued by the Community Development Financial Institutions Fund, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WILLIAMS:

H.R. 723. A bill to provide for the protection of the geothermal resources of Yellowstone National Park; to the Committee on Resources.

By Mr. DEAL of Georgia (for himself, Mr. MINGE, Mr. MEEHAN, and Mr. KINGSTON):

H.J. Res. 66. Joint resolution proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and House of Representatives; to the Committee on the Judiciary.

By Mr. FAZIO of California:

H. Res. 46. Resolution electing Delegate Victor O. Frazer of the Virgin Islands to the Committee on International Relations; considered and agreed to.

By Ms. MOLINARI:

H. Res. 48. Resolution electing Representative Amo Houghton of New York to the Committee on International Relations; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIAMS:

H.R. 724. A bill for the relief of Wade Bomar, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. SALMON.

H.R. 28: Mr. GOODLATTE.

H.R. 52: Mr. COSTELLO, Mr. ANDREWS, and Mr. BALDACCIO.

H.R. 104: Mr. BAKER of California and Mr. BARTLETT of Maryland.

H.R. 118: Mr. GUNDERSON, Mr. INGLIS of South Carolina, Ms. PRYCE, Mr. KLUG, Mr. LATOURETTE, Mr. HEFLEY, Mr. ZELIFF, and Mr. SOLOMON.

H.R. 216: Mr. JACOBS and Mr. WELLER.

H.R. 218: Mr. ENGLISH of Pennsylvania.

H.R. 310: Mr. ROHRBACHER, Mr. INGLIS of South Carolina, Mr. DORNAN, Ms. MOLINARI, Mr. SENSENBRENNER, and Mr. NEUMANN.

H.R. 313: Mr. ROHRBACHER, Mr. INGLIS of South Carolina, Mr. DORNAN, Ms. MOLINARI, Mr. SENSENBRENNER, and Mr. NEUMANN.

H.R. 325: Mr. DICKEY, Mr. GUNDERSON, Mr. ENSIGN, Mr. MICA, Mr. COOLEY, Mr. LATOURETTE, Mr. KIM, Mr. BAKER of California, Mr. WELLER, Mr. SCARBOROUGH, Mr. BALLENGER, Mr. MCHUGH, Mrs. MEYERS of Kansas, Mrs. VUCANOVICH, Mr. WALSH, Mr. GEKAS, Mr. METCALF, Mr. EWING, Mr. GOODLING, Mr. SOLOMON, Mr. FLANAGAN, Mr. CHRISTENSEN, Mr. MCINTOSH, Mr. WATTS of Oklahoma, Mr. TALENT, Mrs. MYRICK, Mr. CHRYSLER, and Mr. MCHALE.

H.R. 335: Mr. ABERCROMBIE, Mr. LAFALCE, Ms. LOWEY, Mr. MINGE, Mr. CHRISTENSEN, Mr. ANDREWS, Mrs. MINK of Hawaii, Mr. LIGHTFOOT, Mr. MILLER of Florida, Mr. GENE GREEN of Texas, and Mr. FOX.

H.R. 370: Mr. MCDADE, Mr. BATEMAN, Mrs. FOWLER, Mrs. CHENOWETH, Mr. ENSIGN, Mr. BREWSTER, Mr. WATTS of Oklahoma, Mr. KOLBE, Mr. CONDIT, Mr. GILLMOR, Mr. FUNDERBURK, and Mr. TIAHRT.

H.R. 386: Mr. JACOBS.

H.R. 394: Mr. FARR, Mr. TAYLOR of North Carolina, Mr. LIGHTFOOT, Mr. RICHARDSON, Mr. ANDREWS, and Mr. GALLEGLY.

H.R. 404: Mr. MILLER of Florida.

H.R. 488: Mr. TRAFICANT, Mr. HINCHEY, Mr. MCKEON, and Mr. LAZIO of New York.

H.R. 500: Mr. BARRETT of Nebraska, Mr. BILBRAY, Mr. CHAMBLISS, Mr. COOLEY, Mr. CUNNINGHAM, Mr. DAVIS, Mr. DOOLITTLE, Mr. FOLEY, Mr. GREENWOOD, Mr. HANSEN, Mr. HAYWORTH, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON, Mr. JONES, Mr. LATHAM, Mr. LIGHTFOOT, Mr. MANZULLO, Mr. MCCOLLUM, Mr. MILLER of Florida, Mr. MONTGOMERY, Mrs. MYRICK, Mr. NORWOOD, Mr. OXLEY, Mr. ROBERTS, Mr. ROHRBACHER, Mr. SANFORD, Mr. SAXTON, Mr. SHADEGG, Mrs. VUCANOVICH, Mr. WALKER, Mr. WELDON of Florida, Mr. WICKER, and Mr. ZELIFF.

H.R. 522: Ms. FURSE.

H.R. 523: Ms. FURSE.

H.R. 534: Mr. PAXON, Mr. WYNN, Mr. CUNNINGHAM, Mr. EMERSON, Mr. MFUME, Mr. GREENWOOD, Mr. LIPINSKI, Mr. BEILSON, Mr. GEJDENSON, Mr. BERMAN, Mr. STUMP, Mr. BARRETT of Nebraska, Ms. PRYCE, Mr. VENTO, Mr. KLUG, Mr. TAYLOR of North Carolina, Mr. GOODLATTE, Mr. CHRISTENSEN, Mr. PACKARD, Mr. LIGHTFOOT, Mr. MINGE, Mr. ZIMMER, Mr. KNOLLENBERG, Mr. ROGERS, Mr. HANCOCK, Mr. KILDEE, and Mr. SISISKY.

H.R. 555: Mr. FOLEY.

H.R. 605: Mr. DAVIS.

H.R. 691: Mr. HOYER.

H.J. Res. 48: Mr. KIM, Mr. MCCOLLUM, Mr. GOODLATTE, Mr. BACHUS, and Mr. ENGLISH of Pennsylvania.

H. Con. Res. 12: Mr. FRAZER.

H. Res. 22: Mr. BARRETT of Wisconsin.

H. Res. 28: Mr. POSHARD, Mr. SANFORD, Mr. BONO, Mr. LIGHTFOOT, and Mr. ZELIFF.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2

OFFERED BY: Mr. MORAN

AMENDMENT NO. 1: At the end of section 2, add the following new subsection:

(d) LIMITATION ON APPLICATION.—This Act shall not apply to any discretionary budget authority for the judicial branch of the Government.

AMENDMENT NO. 170: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

AMENDMENT NO. 171: In section 301, in the proposed section 422 of the Congressional

"(8) pertains to the provision of special education and related services for children with disabilities.